

Historic, Archive Document

Do not assume content reflects current scientific knowledge, policies, or practices.

NONFAT DRY MILK

HEARING
BEFORE THE
SUBCOMMITTEE ON LEGISLATION AFFECTING
THE FOOD AND DRUG ADMINISTRATION
OF THE
COMMITTEE ON
LABOR AND PUBLIC WELFARE
UNITED STATES SENATE
EIGHTY-FOURTH CONGRESS
SECOND SESSION
ON
S. 1614

A BILL TO AMEND THE ACT ENTITLED "AN ACT TO FIX
A REASONABLE DEFINITION AND STANDARD OF IDENTITY
OF CERTAIN DRY MILK SOLIDS," TITLE 21, UNITED STATES
CODE, SECTION 321c

MAY 22, 1956

Printed for the use of the Committee on Labor and Public Welfare



UNITED STATES
GOVERNMENT PRINTING OFFICE
WASHINGTON : 1956

COMMITTEE ON LABOR AND PUBLIC WELFARE

LISTER HILL, Alabama, *Chairman*

JAMES E. MURRAY, Montana

MATTHEW M. NEELY, West Virginia

HERBERT H. LEHMAN, New York

JOHN F. KENNEDY, Massachusetts

PAT McNAMARA, Michigan

H. ALEXANDER SMITH, New Jersey

IRVING M. IVES, New York

WILLIAM A. PURTELL, Connecticut

BARRY GOLDWATER, Arizona

GEORGE H. BENDER, Ohio

GORDON ALLOTT, Colorado

STEWART E. McCLURE, *Staff Director*

SUBCOMMITTEE ON LEGISLATION AFFECTING THE FOOD AND DRUG ADMINISTRATION

JAMES E. MURRAY, Montana, *Chairman*

PAT McNAMARA, Michigan

GEORGE H. BENDER, Ohio

WILLIAM G. REIDY, *Professional Staff*

CONTENTS

	Page
Text of S. 1614-----	2
Reports:-----	
Bureau of the Budget-----	2
Department of Health, Education, and Welfare-----	2
Statements:-----	
Castle, Benjamin F., executive vice president, Milk Industry Founda- tion-----	7
Hadrath, R. M., chairman of the board, American Dry Milk Institute-----	11
Humphrey, Hon. Hubert H., United States Senator from the State of Minnesota-----	1
Larrick, George P., commissioner, Food and Drug Administration, Department of Health, Education, and Welfare-----	3
Remalay, Robert J., director of research, American Dry Milk Institute-----	4
Whatley, David, Washington, D. C.-----	14
Additional information:-----	
Four-year comparison of the domestic sales of NDMS by end of use-----	5
Letters and telegrams:-----	
Baldwin, I. Bruce, Jr., Abbotts Dairies, Philadelphia, Pa., to chair- man, May 22, 1956-----	17
Bennett, Ranson, Bennett Cannery Co., Ottawa, Kans., to Hon. Lister Hill, May 23, 1956-----	15
Brock, C. Raymond, president, Milk Industry Association, New Haven, Conn., to chairman-----	8
Carlson, C. M., manager, Dairymen's Cooperative Creamery of Boise Valley, Caldwell, Idaho, to Hon. Lister Hill, May 23, 1956-----	16
Evans, R. C., vice president, Carnation Co., Los Angeles, Calif., to Hon. Lister Hill, May 23, 1956-----	16
Garrecht, Hubert, president, Klinke Reed Dairy, Memphis, Tenn., to chairman, May 22, 1956-----	16
Hadrath, R. M., chairman, board of directors, American Dry Milk Institute, to B. F. Castle, executive vice president, Milk Indus- try Foundation, April 27, 1956-----	11
Latzer, R. L., president, Pet Milk Co., to chairman, May 23, 1956-----	16
Ripple, George W., Consolidated Badger Corp., to Hon. Lister Hill, May 23, 1956-----	15
Skinner, Raymond, president, Forest Hill Dairy, Memphis, Tenn., to chairman, May 22, 1956-----	16
Stone, F. D., Land-O-Lakes, Creameries, Inc., Minneapolis, Minn., to Hon. Lister Hill, May 23, 1956-----	
Turnbow, Grover D., president, Foremost Dairies, Inc., San Francisco, Calif., to Hon. Lister Hill, May 23, 1956-----	17
Wentworth, W. A., to Borden Co., New York, N. Y., to Hon. Lister Hill, May 23, 1956-----	17
Wernb, Richard J., executive director, Milk Industry Foundation, to Charles M. Fistere, Washington, D. C., November 18, 1955, and to Col. B. F. Castle, executive vice president, Milk In- dustry Foundation, April 27, 1956-----	11, 13
Public Law 244, 78th Congress-----	4

THE HISTORY OF THE

REIGN OF

CHARLES THE FIRST

BY SAMUEL JOHNSON

IN TEN VOLUMES

LONDON: Printed by A. MILLAR, in Pall-mall.

1720.

Vol. I.

THE HISTORY OF THE

REIGN OF

CHARLES THE FIRST

BY SAMUEL JOHNSON

IN TEN VOLUMES

LONDON: Printed by A. MILLAR, in Pall-mall.

1720.

NONFAT DRY MILK

TUESDAY, MAY 22, 1956

UNITED STATES SENATE,
SUBCOMMITTEE ON LEGISLATION AFFECTING
THE FOOD AND DRUG ADMINISTRATION OF THE
COMMITTEE ON LABOR AND PUBLIC WELFARE,
Washington, D. C.

The subcommittee met, pursuant to notice, at 10:30 a. m. in the old Supreme Court chamber, United States Capitol, Senator James E. Murray (chairman) presiding.

Present: Senator Murray (chairman).

Also present: Stewart E. McClure, Michael Bernstein, William G. Reidy and Mary DiDio of the committee staff.

Senator MURRAY. Gentlemen, the hearing will come to order.

In 1944 the Congress amended the Pure Food and Drug Act to establish a definition and standard of identity for "nonfat dry milk solids or defatted milk solids," then a comparatively new product. Sales of dry milk have increased greatly and the industry now desires to have the two legal definitions, "nonfat dry milk solids or defatted milk solids," modified as proposed by Senator Humphrey in Senate bill 1614. Today's hearings are on Senator Humphrey's bill.

We have notified the Department of Agriculture of these hearings and they have advised us that they do not oppose the bill and, consequently, will not send a witness.

Senator Humphrey has sent a brief statement in support of the bill which will be included in the record. A conflict in committee meetings makes it impossible for Senator Humphrey to be here.

(The Statement of Hon. Hubert H. Humphrey, United States Senator from the State of Minnesota is as follows:)

TESTIMONY OF SENATOR HUBERT H. HUMPHREY, OF MINNESOTA

At the outset I wish to express my appreciation to the chairman and his distinguished colleagues on the subcommittee, for calling this hearing on my bill S. 1614. I realize that the legislation pending before this important committee is both voluminous and far reaching in its effect upon the Nation's economy. At the same time it is a mark of statesmanship to recognize the importance of giving consideration to legislation such as S. 1614 which, while only affecting a particular segment of our economy, does so to an important degree.

It is a matter of pride which I share with the dairy industry that through dint of intensive nutrition education and promotion, the value of nonfat dry milk to the welfare of our people has become so widely recognized. The spokesman for the American Dry Milk Institute who will appear before your committee will review for you the dramatic growth of the dry milk industry in the past 25 years.

Nonfat dry milk is an important dairy product to Minnesota dairymen. My State, together with our sister State Wisconsin produces about 50 percent of the nonfat dry milk which is produced annually in the United States. S. 1614 is a

simple bill but important to the industry and the users of the product. The bill would modify the name of the product by deleting the word "solids" from the present designation—thus making the official name "nonfat dry milk."

This designation, which the bill would confer, is the most accurate and descriptive for the product. The word "solids" is redundant, cumbersome, and little understood by consumers. The dry milk industry deserves great credit for the steadily increasing commercial utilization of this product. While such a statement may sound strange, I make it because production of nonfat dry milk must keep pace with milk production. It cannot be turned on and off with a spigot. It behooves the industry to move all it can into commercial use thereby minimizing to the greatest extent possible, the amount of product which the Government is committed to purchase under the support program.

The pending bill will recognize officially the name "nonfat dry milk" which has come into wide use and is favored by the industry which produces the product and by the users of the product.

I sincerely hope your distinguished committee will give early consideration to reporting S. 1614 favorably.

Senator MURRAY. At this point, we will insert the bill, Senate bill 1614 and the reports from the agencies on the bill.

(S. 1614 and reports from the agencies on it are as follows:)

[S. 1614, 84th Cong., 1st sess.]

A BILL To amend the Act entitled "An Act to fix a reasonable definition and standard of identity of certain dry milk solids", title 21, United States Code, section 321c

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Public Law Numbered 244, Seventy-eighth Congress second session, approved March 2, 1954, title 21, United States Code, section 321c, entitled "An Act to fix a reasonable definition and standard of identity of certain dry milk solids" is amended to read as follows: "For the purposes of the Federal Food, Drug and Cosmetic Act of June 26, 1938 (ch. 675, sec. 1, 52 Stat. 1040), nonfat dry milk is the product resulting from the removal of fat and water from milk, and contains the lactose, milk proteins, and milk minerals in the same relative proportions as in the fresh milk from which made. It contains not over 5 per centum by weight of moisture. The fat content is not over 1½ per centum by weight unless otherwise indicated.

The term "milk", when used herein, means "sweet milk of cows".

EXECUTIVE OFFICE OF THE PRESIDENT,
BUREAU OF THE BUDGET,
Washington, D. C., May 13, 1955.

Hon. LISTER HILL,
*Chairman, Committee on Labor and Public Welfare,
United States Senate, Washington, D. C.*

MY DEAR MR. CHAIRMAN: This is in response to your letter of April 2, 1955, requesting the views of the Bureau of the Budget on S. 1614, a bill to amend the act entitled "An act to fix a reasonable definition and standard of identity of certain dry milk solids," title 21, United States Code, section 321c.

This bill would substitute the term "nonfat dry milk" for the two terms, "nonfat dry milk solids" and "defatted milk solids" contained in the present law establishing a standard of identity for this good product.

Since the proposed new name is descriptive and the changes would not appear to adversely affect the interests of consumers or manufacturers, the Bureau of the Budget would have no objection to enactment of the proposal.

Sincerely yours,

DONALD R. BELCHER, *Assistant Director.*

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE.

Hon. LISTER HILL,
*Chairman, Committee on Labor and Public Welfare,
United States Senate.*

DEAR MR. CHAIRMAN: This letter is in response to your request of April 2, 1955, for a report on S. 1614, a bill to amend the act entitled "An act to fix a reasonable definition and standard of identity of certain dry milk solids," title 21, United States Code, section 321c.

The act which the present bill would amend is the act of March 2, 1944, chapter 77, 38 Stat. 108 (21 U. S. C. 321e), which, for the purposes of the Federal Food, Drug, and Cosmetic Act, fixes a definition and standard of identity for a product which is commonly known as dry skim milk but is referred to in the act of 1944 as "nonfat dry milk solids or defatted milk solids." The present bill would delete this dual statutory name for the product and substitute for it the name "nonfat dry milk."

It is our information that the name "defatted milk solids" has seldom been used since that name was authorized by statute. Such limited use of that name as may have occurred has been confined to a limited amount of commerce among dealers, so that the name is not generally known to the consuming public. Elimination of that name therefore seems desirable.

The proposal to eliminate the word "solids" from the name "nonfat dry milk solids" is based upon the view that the word "solids" is redundant and unnecessary to make the name wholly descriptive. In our view, the name "nonfat dry milk solids" is substantially the equivalent of the common-parlance term "dry skim milk" and the word "solids" now included in this name may well be dropped without any confusion or disadvantages to manufacturers or consumers.

We would therefore recommend that the proposed legislation be enacted by the Congress.

The Bureau of the Budget advises that it perceives no objection to the submission of this report to your committee.

Sincerely yours,

ROSSELL B. PERKINS,
Acting Secretary.

Senator MURRAY. The first witness is Mr. George P. Larrick, Commissioner of the Food and Drug Administration, in the Department of Health, Education, and Welfare.

STATEMENT OF GEORGE P. LARRICK, COMMISSIONER, FOOD AND DRUG ADMINISTRATION, DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Senator MURRAY. Mr. Larrick, you may proceed.

Mr. LARRICK. In 1944, as you have stated, Congress decided that they would change the name of "Dry skim milk" to "Nonfat dry milk solids or defatted milk solids." This position was taken after a number of prominent nutritionists testified that in their opinion the American diet was excessively likely to include fats and they thought that the term of "Dry skim milk" would make the product unpopular and that they would have better success in reducing the fat intake if they changed the name. But the names that they have adopted, apparently, have become so cumbersome that they are not meaningful to many people. And the purpose of this bill, then, is to do away with these cumbersome names and simply call the product, "Nonfat dry milk."

The position of the Department of Health, Education, and Welfare is stated in a letter dated March 23, 1955, from Acting Secretary Perkins to the chairman of the committee, Hon. Lister Hill. In essence the Department supports the legislation and states that the Budget Bureau has no objection.

That concludes my testimony, sir, unless you have some question.

Senator MURRAY. Thank you very much.

I don't think your statement requires any cross-examination.

Mr. LARRICK. Thank you, gentlemen.

Senator MURRAY. The next witness is Mr. R. J. Remaley, director of research, American Dry Milk Institute.

**STATEMENT OF ROBERT J. REMALEY, DIRECTOR OF RESEARCH,
AMERICAN DRY MILK INSTITUTE**

Mr. REMALEY. Mr. Chairman, my name is Robert J. Remaley, director of research, American Dry Milk Institute, whose main offices are 221 North LaSalle Street, Chicago, Ill.

Mr. R. M. Hadrath, who is chairman of our board of directors, intended to be present and present his statement. I filed his statement with the committee yesterday and if there are no objections from the committee, I should like to read Mr. Hadrath's statement to the committee and answer any questions following this.

Senator MURRAY. You may proceed.

**STATEMENT OF R. M. HADRATH, CHAIRMAN OF THE BOARD,
AMERICAN DRY MILK INSTITUTE—As read by R. J. Remaley**

Mr. REMALEY. My name is R. M. Hadrath, president, Maple Island, Inc., Stillwater, Minn. I am appearing here today on behalf of the American Dry Milk Institute of which organization I am privileged to serve as chairman of its board of directors. The American Dry Milk Institute, founded in 1925, is the national and only trade association of the dry-milk industry. Headquarters are maintained at 221 North LaSalle Street, Chicago. The membership of the institute consists of more than 200 manufacturers of nonfat dry milk, dry whole milk, and dry buttermilk solids. Our membership consists of both dairy farmer cooperatives, and proprietary companies.

I am appearing here today in support of the Senate bill S. 1614, which is an amendment to Public Law 244 of the 78th Congress.

(Public Law 244 of the 78th Cong. is as follows:)

[PUBLIC LAW 244—78TH CONGRESS]

[CHAPTER 77—2D SESSION]

[H. R. 149]

AN ACT To fix a reasonable definition and standard of identity of certain dry milk solids

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That for the purposes of the Federal Food, Drug, and Cosmetic Act of June 26, 1938 (ch. 675, sec. 1, 52 Stat. 1040), nonfat dry milk solids or defatted milk solids is the product resulting from the removal of fat and water from milk, and contains the lactose, milk proteins, and milk minerals in the same relative proportions as in the fresh milk from which made. It contains not over 5 per centum by weight of moisture. The fat content is not over 1½ per centum by weight unless otherwise indicated.

The term "milk", when used herein, means sweet milk of cows.

Approved March 2, 1944.

Mr. REMALEY. In view of the probability that there are members of the distinguished committee who have not had occasion to become familiar with the dry-milk industry, it may be important to sketch very briefly a few facts about its nature and history since these have an important bearing on the legislation.

The commercial dry-milk industry is an infant in comparison to other branches of the dairy industry. Thirty years ago, or 1925, 49.5 percent of the total amount of the nonfat constituents of milk produced on American farms was either fed to farm animals or thrown away. Think of it. It is an astonishing fact in the light of our present knowledge of nutrition, that such an enormous part of the Nation's food supply was disposed of as animal feed, or worse yet, completely wasted.

The production of nonfat dry milk in 1925 amounted to 103 million pounds. From that modest beginning we have reached the point where production in 1955 was over 1,484 million pounds. During this 30-year period, one of the most significant developments in the history of dairying took place. Whereas in 1925 most of our butter was produced from farm-separated cream, the skim milk being left on the farm, today very much less milk is separated on the farm and more and more farmers are delivering whole milk to processing plants. Regardless of the volume of milk which is received from farmers it must be handled and processed upon receipt. While much of this whole milk which is delivered to manufacturing establishments is made into cheese and evaporated milk, the great bulk of it is separated. The cream may be used in such products as ice cream, or cream cheese, or may be frozen and stored, or churned to make butter. The separated milk is dried to make the product with which this legislation is concerned. Usually, the needs of other manufactured products are taken care of first, so that the tremendous volumes that remain must be separated and the nonfat portion dried to make nonfat dry milk.

As a matter of hard fact, the dry-milk manufacturer has less control of his production than any other operator in the dairy business. This is an extremely important factor to be kept in mind by all those who are concerned with dairy problems. We are concerned with it here because the job of the dry-milk industry is to keep pace in its sales efforts with the ever-increasing volume of nonfat dry milk which is necessarily produced. We in the industry are quite proud of the fact that since 1952, through development of a great variety of uses, we reached in 1955 domestic sales of almost 900 million pounds of nonfat dry milk. Members of the committee probably might be surprised to know how many outlets for nonfat dry milk there are. In the order of their sales the principal outlets are as follows: Bakery, dairy, packaged for home use, meat processing, prepared dry mixes, confectionery, soup manufacturers, institutions, chemicals, pharmaceuticals, and soft-drink bottlers. There is attached a 4-year comparison of the domestic sales of nonfat dry-milk solids to the various markets. (The comparison referred to is as follows:)

TABLE C.—Four-year comparison of the domestic sales of NDMS by end use
[Millions of pounds]

	1952		1953 ¹		1954 ¹		1955		Change million pounds	1954 to 1955 percent
	690.1	Percent 100.0	626.3	Percent 100.0	719.2	Percent 100.0	867.6	Percent 100.0	+148.4	+20.6
Total domestic non-Government use...	690.1		626.3		719.2		867.6		+148.4	+20.6
Bakery.....	275.3	39.9	263.0	42.0	276.2	38.4	326.9	37.7	+50.7	+18.4
Dairy.....	160.1	23.2	125.9	20.1	146.0	20.3	200.8	23.1	+54.8	+37.5
Packaged for home use.....	84.9	12.3	96.4	15.4	141.7	19.7	149.7	17.2	+8.0	+5.6
Meat processing.....	87.6	12.7	64.5	10.3	67.5	9.4	88.4	10.2	+20.9	+31.0
Prepared dry mixes.....	30.3	4.4	42.0	6.7	47.9	6.7	55.2	6.4	+7.3	+15.2
Confectionery.....	15.2	2.2	12.5	2.0	16.8	2.3	16.6	1.9	-.2	-1.2
Soft drink bottlers.....	2.6	.4	1.3	.2	2.2	.3	4.3	.5	+2.1	+95.5
Soup manufacturers.....	6.2	.9	3.1	.5	2.6	.4	3.2	.4	+.6	+23.1
Institutions.....	3.0	.4	2.5	.4	2.9	.4	2.2	.3	-.7	-24.1
Chemicals; pharmaceuti- cals.....	3.4	.5	3.2	.5	2.5	.3	.8	.1	-1.7	-68.0
Animal feed ²	11.8	1.7	5.6	.9	3.7	.5	9.0	1.0	+5.3	+143.2
All other uses.....	9.7	1.4	6.3	1.0	9.2	1.3	10.5	1.2	-.3	-3.3

¹ Revised in accordance with final production figure.

² This is nonfat dry-milk solids processed for human consumption and is not to be confused with dry skim milk for animal feed.

Mr. REMALEY. Nonfat dry milk was introduced to the grocers' shelves in 1948 when we sold 2,400,000 pounds in small retail packages direct to the housewife. In 1955 this market has increased to almost 150 million pounds.

We believe that these sales have little or no significance in relating to fluid milk sales. We wish to cite the study made by the Agriculture Marketing Service made in Memphis, Tenn., and reprinted in the Marketing Research Report No. 69, June 1954:

In October 1950, sales of fluid milk in Memphis were approximately 5,750,000 quarts. In October 1950, sales of nonfat dry milk (fluid equivalent) were approximately 114,000 quarts.

In October 1952, sales of fluid milk dropped to 3,500,000 quarts. In October 1952, sales of nonfat dry milk (fluid equivalent) were approximately 250,000 quarts. During this period prices of fluid milk increased.

In October 1953, sales of fluid milk had increased to 4,400,000 quarts. In October 1953, sales of nonfat dry milk (fluid equivalent) increased to approximately 400,000 quarts. During this period prices of fluid milk had declined; homogenized milk was introduced, and advertising increased.

One must conclude from this that factors other than the presence of nonfat dry milk in the market affect the sale of fluid milk. As a matter of fact, the effect of nonfat dry milk is inconsequential.

The industry, by which I mean the individual companies engaged in the production of nonfat dry milk as well as our national trade association, is constantly engaged in research and promotional activities in a continuing effort to close the gap between production and commercial sales. To the extent that this effort succeeds it removes surpluses from the market and relieves the taxpayers from the financial burden of price-support programs.

In 1944, your committee reported a bill, which was subsequently enacted, establishing a definition and standard of identity for this important food, bearing alternative names—nonfat dry milk solids, and defatted milk solids. In the interval since the enactment of Public Law 244 of the 78th Congress we have found that a further modification in the name is desirable. The action of Congress in 1944 in conferring the name "nonfat dry milk solids" was a boon to the industry. We believe that the modification which is provided for in S. 1614 would further assist in the promotion of the product.

The present alternative designations are "nonfat dry milk solids" and "defatted milk solids." The term "defatted milk solids" has never been commonly used, and the pending bills would therefore repeal that name. The designation "nonfat dry milk solids" is unnecessarily long and redundant.

In 1944, the name "nonfat dry milk solids" accurately described the product. Practically all of our sales at that time were to industrial food manufacturers such as the baker, the sausage manufacturer, the ice cream manufacturer. The terms "milk solids" and "nonfat milk solids" were applied loosely to the solids of milk whether in the form of liquid whole milk, nonfat milk, condensed milks or dry milks. Dehydrated products were not common items of commerce in the food field. Hence "nonfat dry milk solids" distinguished the product from any other milk solids product by inclusion of the word "dry."

Since 1944, however, all types of dry food products have become available both to the housewife and to the food manufacturer. "Non-

fat milk solids" though still a common term in technical channels is no longer essential as a descriptive term provided that "dry" is associated with "nonfat" and "milk." At present the name "nonfat dry milk" has greater acceptance than "nonfat dry milk solids" in conversation and publication. Only on labeling is the full name rigidly adhered to, and from the standpoint of labeling is cumbersome.

The word "dry" and the word "solids" both connote the absence of water. The word "dry" is completely effective for the purpose; and the legislation therefore deletes the word "solids" from this designation.

The word "solids" is a technical word familiar to food technologists, but confusing or without much meaning to laymen.

In the interest, therefore, of clarity and economy of words, the proposed legislation is, we believe, necessary.

The name "nonfat dry milk" is an apt designation of the product in that it clearly describes the two principal characteristics of the product namely the absence of fat and water. It is the experience of the industry that the word "solids" is a definite handicap.

I have previously indicated the principal outlets for nonfat dry milk solids. The Federal food, drug and cosmetic law required, with respect to a food for which a definition and standard of identity has not been established, that its label bear a statement of ingredients. The term "nonfat dry milk" as provided for in the legislation, is the preferred name among such users for this purpose.

I understand, Mr. Chairman, that a number of the State officials concerned with food law enforcement, as well as several national associations of users of nonfat dry milk, have filed with you or with the House of Representatives Committee on Interstate and Foreign Commerce letters supporting this legislation.

In summing up, it is our belief that the legislation before you, is beneficial to the dry milk industry and to its food industry users; it is more meaningful to consumers and not inconsistent with the welfare of any other segment of our economy. We respectfully request a favorable report by this committee.

Mr. Chairman, I would like to add that in the report of the House Committee on Interstate and Foreign Commerce there were a few technical amendments made to an identical bill. It is our recommendation that the same technical amendments be included in S. 1614.

Senator MURRAY. Thank you very much for your statement. I don't think it calls for a cross-examination. It seems clear and understandable that there shouldn't be any controversy.

Mr. REMALEY. Thank you, sir.

Senator MURRAY. Are there any witnesses here who would like to be heard?

**STATEMENT OF BENJAMIN F. CASTLE, EXECUTIVE VICE
PRESIDENT, MILK INDUSTRY FOUNDATION, WASHINGTON, D. C.**

Mr. CASTLE. Yes, sir. I have your telegram, but I didn't receive it until Friday night.

My name is Benjamin Castle, executive vice president of the Milk Industry Foundation, the trade association of the milk industry, which involves about 50 percent of the milk produced in the United

States and whose members pay approximately \$1.50 a hundredweight more for fresh fluid milk for consumers than is paid for manufacturing milk.

The president of our association, Mr. Raymond Brock, of New Haven, was unable to come on such short notice but is taking the liberty of sending you a telegram.

Senator MURRAY. Very well, the telegram will be incorporated in the record.

(The telegram referred to is as follows:)

NEW HAVEN, CONN.

Senator JAMES E. MURRAY,
*Chairman, Senate Labor and Public Welfare,
Old Supreme Court Chamber,
The Capitol, Washington, D. C.*

Regarding Senate bill No. 161, pertaining to the identity of milk solids individually and as president of the Milk Industry Foundation, I oppose dropping the designation "solids" from dry-fat milk. Misrepresentation to the public in advertising is increasing even with present designation which would be further increased if changed. I join farmers in their real interest in fresh fluid milk which is also in the public interest.

C. RAYMOND BROCK.

Mr. CASTLE. And the vice president, Mr. Hubert Garrecht, of Memphis, Tenn., is also sending a telegram.

Senator MURRAY. All of these telegrams and letters which we receive will be carried in the record.

(See p. —.)

Mr. CASTLE. They regret that they couldn't appear at the hearing but the notice was just too short.

I would like to say that there is a reference in the testimony that you have just heard in a general way that some of the associations—I will quote it if you don't mind—

I understand, Mr. Chairman, that a number of the State officials concerned with food law enforcement, as well as several national associations of users of nonfat milk, filed with you or with the House of Representatives Committee on Interstate and Foreign Commerce, letters supporting this legislation.

My purpose in appearing here today, Mr. Chairman, is to make it clear that the Milk Industry Foundation, which has an obvious interest in this legislation, will have a board meeting June 14 and 15, at which this question will be seriously discussed, as to whether or not we can support the recommendation you have just heard. In justice to the American Dry Milk Institute, I should say that at a board meeting in connection with the annual convention in St. Louis last fall, a rather hasty consideration was given, and we told them that we would not oppose it. Since that time our executive committee has requested the board to reconsider their position. In making that statement, I want to make it clear that we, at this moment, are not supporting it and we are not opposing it, but we will file, if we may, after the board meeting, a complete statement.

I would like to make a few remarks also. Our association was founded in 1912. We are the largest dairy association, not only in the United States, but in the world. Our members are small, medium, and large. There are about 1,500 companies who are members in every State of the Union, in every Province in Canada, and in several foreign countries.

Sixty percent of our members have less than twenty routes—in other words, they are small-business men. And they are definitely

interested, of course, in any competition with fresh fluid milk. And in the minds of some of them this is competition.

Now, then, I notice a reference to the former condition when dry milk was fed to animals. And, of course, we all know that those animals went on the tables of America, so that the dry milk there wasn't wasted, although it is true that much skimmed milk was poured down the sewers of the State of Wisconsin in those days, which was a terrible waste. But the feed of dry milk to animals is no economic waste, you're fattening, for example, cattle.

Now, the production as stated here of dry milk in 1955 was 1,484 million pounds, a very impressive figure, unless you consider that the total milk produced in the United States was 123 billion pounds and our fresh milk industry uses about 48 percent of that, including that drunk on the farm.

And, of course, the interest of the dairy farmer in whole milk is obvious. It is a financial interest. Every day a farmer can sell his milk to the fluid market because he receives a minimum of \$1.50 a hundredweight more than for manufacturing milk. That is the economics of the industry.

The reference is made to the sales effort and, in that connection, I would like to file a poster that has just been received in the mail this morning from the American Dry Milk Institute, which shows their promotional effort. I call attention to one paragraph which appears on the poster:

Nonfat dry milk comes from finest dairying regions of the United States and it meets all Government regulations. It is pure, fresh milk from which only the fat and water have been removed and to which nothing has been added.

And then in the letter accompanying it—which I will also file—it states that this is the primary story being told by this new poster designed for use in elementary and secondary schools.

(The poster referred to was marked "Exhibit 1" and will be found in the files of the committee).

Mr. CASTLE. I can tell you, Mr. Chairman, that the powdered milk is used in school lunches now for cooking, and while it displaces some fresh fluid milk, still we could not possibly take issue with that because it is a useful use of a surplus product. It is furnished largely by the Department of Agriculture. But the Department of Agriculture, which administers the school lunch program for the Congress—for which Congress has made appropriation—declines to permit the use of skimmed milk, powdered or other nonfat dry milk solids, in recombined form in the school lunch for a very good reason, because they want to get fat into the tummies of the children, and get, of course, vitamin A which is a part of the butterfat. So, today, it is standard practice for schools to buy fresh fluid milk. That is for the benefit of the children and for the benefit of the purveyors of fresh fluid milk, and it is for the benefit of the dairy farmer. However, that is not the object of the Department of Agriculture. They are chiefly concerned with the nutritional effects.

Now, we know that it has been rumored that State directors of the school lunch program—we know, at least, two—have attempted to get the Department of Agriculture to let them use powdered milk in the school milk program for fluid purposes. Naturally, we are concerned with that. I point that out to show you that there is a reason for us to stop, look, and listen at any definition which uses the word "milk."

Now, the definition that is placed before you for approval is "nonfat dry milk," the word "solids" being omitted. You find the word "milk" as the last word.

Now, that may be all right, but we want to take another look at it, Mr. Chairman.

Now, reference is made on page 2 of the testimony to the small retail packages, 2,400,000 pounds, direct to the housewife. Well, we know, of course, that that displaces fresh fluid milk. You can see our interest in it.

They state, however, on page 3 that resales have been of little or no significance in relation to fluid milk sales. Now, we would like to hope that they are correct in that, but anything that displaces fresh fluid milk in the household either directly or indirectly—indirectly through prepared foods—diminishes the fresh fluid milk market.

Now, on page 5 is a reference to the State officials. And I think it is proper for me to remark here that the State of Iowa disapproved of this definition. The reasons why they did it, I do not know, I only know that it was not approved by the State of Iowa.

The plea for the definition is contained in the last paragraph of the statement filed by the Dry Milk Institute and part of it says:

It is more meaningful to consumers.

I think that those on our board who are opposed to this—and there are some; there are some individually—feel that the use of the word "milk" without qualifications—that is, the words "nonfat dry milk," terminating the phrase with the word "milk"—is somewhat misleading.

We submit those questions, as you might call them, that I have raised, for your very serious consideration. And we again beg the privilege of filing, if necessary, a statement from our board of directors, which would be the official statement of the foundation on or about June 16, and we trust that action could be delayed until that time. And we thank you very much for the privilege of appearing.

Senator MURRAY. We will be glad to have your statement.

Mr. CASTLE. Thank you, sir.

Senator MURRAY. Mr. Reidy, of the staff, wants to ask you a few questions.

Mr. REIDY. You are representing in your testimony the Milk Industry Foundation?

Mr. CASTLE. Yes, sir; the trade association of the fluid milk industry.

Mr. REIDY. And I believe you said that at the moment you are not opposing or supporting this legislation?

Mr. CASTLE. No, sir.

Mr. REIDY. I have here a letter addressed to you by Mr. R. M. Hadrath quoting a letter by Mr. Richard J. Werner, the executive director of the Milk Industry Foundation under date of April 27, 1956, in which Mr. Werner states, under date of November 18, 1955:

You will be pleased to know that at its meeting in St. Louis on October 28, the board of directors of the Milk Industry Foundation officially endorsed the efforts of the American Dry Milk Institute, Inc., to change the name of "nonfat dry milk solids" for "defatted milk solids."

I was directed to advise you of this action in support of your efforts to have this change effected through legislation in Congress.

The entire letter will be placed in the record.

(The letter referred to is as follows:)

AMERICAN DRY MILK INSTITUTE, INC.,
Chicago, April 27, 1956.

Col. B. F. CASTLE,
Executive Vice President, Milk Industry Foundation,
Washington, D. C.

DEAR COLONEL CASTLE: In accordance with the suggestion which you made to us during our conversation following the hearing today, this letter is addressed to you.

On April 27, 1956, as you know, a subcommittee of the House Committee on Interstate and Foreign Commerce held a hearing on H. R. 5162 and H. R. 5257, which are bills to delete the designating term "defatted milk solids" from the present statutory definition and to delete the word "solids" from the term "nonfat dry milk solids," the alternative designation in the statute.

The American Dry Milk Institute, in its effort to secure enactment of this legislation, was conscious of the necessity to inform all branches of the dairy industry with respect to the legislation and to secure united support for it. In pursuance thereof, on September 20, 1955, a memorandum explaining and advancing arguments in support of the bill was prepared and placed in the hands of the board of directors of MIF. This was prior to your annual meeting in October. Additional copies of this memorandum are enclosed for the information of your executive committee. Following that meeting our counsel received a letter from Mr. Richard J. Werner, executive director of MIF, dated November 18, 1955, reporting the action of the board as follows:

"You will be pleased to know that at its meeting in St. Louis on October 28, the board of directors of the Milk Industry Foundation officially endorsed the efforts of the American Dry Milk Institute, Inc., to change the name of 'nonfat dry milk solids' for 'defatted milk solids.'"

"I was directed to advise you of this action in support of your efforts to have this change effected through legislation in Congress."

"RICHARD J. WERNER,
Executive Director, Milk Industry Foundation."

Quite unexpectedly, and without any advance notice to the American Dry Milk Institute, on Monday of this week (April 23), Chairman Priest advised the ADMI that a public hearing would be held on Friday, April 27, before the Food and Drug Subcommittee of the House Committee on Interstate and Foreign Commerce to consider this legislation.

The American Dry Milk Institute relied upon the action taken by the board of MIF in St. Louis in October in stating to Mr. Priest on Monday that we knew of no opposition from any branch of the dairy industry. We were shocked beyond measure when on the day preceding the hearing, you advised our counsel's office that it had been decided to have the board of MIF reconsider its position "in support of [our] efforts to have this change effected through legislation in Congress."

The hearing before the House subcommittee was held today, as you know, at 10 a. m. George F. Larrick, Commissioner of Food and Drug Administration, the first witness, reiterated the position of the Food and Drug Administration, the only official agency directly concerned with the legislation, which previously had been expressed in a communication to the committee. This communication in its significant portion states: "We would therefore recommend that the proposed legislation be enacted by the Congress."

I, as chairman of the board of the American Dry Milk Institute, explained the legislation and presented arguments supporting its enactment. Due to the admonition of the chairman to hold the hearing down to a minimum of time, my statement was extemporaneous. At the same time I offered for the record a more complete statement, copy of which is enclosed for the information of your executive committee.

You, of course, were the third and last witness, and you told the committee that the Milk Industry Foundation's board had taken no official position on the matter, but that at a recent meeting of MIF's executive committee a decision was reached to rerefer this legislation to the board at its meeting scheduled for Banff in June 1956.

The purpose of presently included copies of our memorandum of September 20 to your board is to reassert the purposes of the legislation, and to reemphasize that it is no part of our purpose to interfere with the promotion and sale of fluid milk. This memorandum lays out our position very clearly as it was at that time. Our position has not changed.

We close with expressing the hope that your executive committee on Friday, May 4, will instruct you to officially inform Chairman Percy Priest, of the House committee, that the Milk Industry Foundation does not oppose passage of this legislation.

Sincerely yours,

R. M. HADRATH,
*Chairman, Board of Directors,
American Dry Milk Institute.*

P. S.—Sufficient copies of this letter are enclosed for distribution to your executive committee at the meeting on Friday next.

Mr. REIDY. I have here a second letter dated November 18, 1955, from Mr. Werner, the executive director, of the Milk Industry Foundation, addressed to Mr. Charles M. Fistere, in which he says:

You will be pleased to know that at its meeting in St. Louis on October 28, the board of directors of the Milk Industry Foundation officially endorsed the efforts of the American Dry Milk Institute, Inc., to change the name of "nonfat dry milk solids" for "defatted milk solids."

Now, this letter does not say that they have officially approved the use of the term "nonfat dry milk" but the implication here is that your board of directors has taken an official position on the subject. You say that some members of the board want to bring this up at your next meeting in June, and that the board may change its mind. At the moment, is it or is it not true that your board is officially on the record as endorsing this change?

Mr. CASTLE. Well, I don't believe that I can answer that question yes or no, and I will explain again what has happened in the interim. At the meeting of our executive committee, which has full power to act between meetings of the Board, which are only quarterly, this question was reviewed. And it was the decision of the executive committee that it would again be discussed at the board meeting.

Mr. REIDY. But the board has taken an official position?

Mr. CASTLE. That is technically true, sir.

Mr. REIDY. And that is the official position of the organization at this time?

Mr. CASTLE. No; I cannot agree to that, because I have been instructed by the president as late as this morning to state that we neither oppose it or support it at this time. And he would take full responsibility for that.

Mr. REIDY. Although your board is on record, as of now as in favor of it?

Mr. CASTLE. That is correct. But as I say the executive committee has full power to act between board meetings—and that is where the apparent contradiction lies—I, as executive vice president, was instructed to come down here and make the statement with regard to the action of the board, possible action of the board, on June 14 and 15, and request to file a statement.

Mr. REIDY. When your board has taken action that action holds until a subsequent board meeting, does it not?

Mr. CASTLE. No; it doesn't because the executive committee has suspended that.

Mr. REIDY. Has the executive committee the authority to suspend an action taken by its own board of directors?

Mr. CASTLE. It does between meetings of the board. And as I say, the president and the vice president, both have—and you will receive a telegram from each one of them—have instructed me to

come down and make a statement that we neither oppose nor support it at this moment. Now it is conceivable that the board will adhere to its previous action, I don't know, but you are quite correct in the letters—I am aware of those—and the Dry Milk Institute is aware of those.

Mr. REIDY. They will be made a part of the record.

(The letter from Richard J. Werner, executive director, Milk Industry Foundation, to Mr. Charles M. Fistere, dated November 18, 1955, is as follows:)

WASHINGTON, D. C., November 18, 1955.

Mr. CHARLES M. FISTERE,
Washington, D. C.

DEAR CHARLIE: You will be pleased to know that at its meeting in St. Louis on October 28, the board of directors of the Milk Industry Foundation officially endorsed the efforts of the American Dry Milk Institute, Inc., to change the name of "nonfat dry milk solids" for "defatted milk solids."

I was directed to advise you of this action in support of your efforts to have this change effected through legislation in Congress.

Sincerely yours,

RICHARD J. WERNER,
Executive Director, Milk Industry Foundation.

Mr. REIDY. I noticed in your statement referring to the previous testimony as to the amount of dry milk solids sold in retail outlets that you wondered to what extent that displaces the sales of fluid milk. Would it not be true that inasmuch as current prices here, I think, run about 8 cents per quart for milk made out of the dry product, as against 22 cents for fluid milk, is it not possible that to a great extent these purchases were made by mothers of large families, unable to buy fluid milk at the higher price? And to the extent that that is true, it would not be displacing the sale of fluid milk?

Mr. CASTLE. That is possible, sir. But would you mind if I qualified my answer a little bit. I was interested in the phrase you used, I believe, "could not afford to buy fresh fluid milk," because that is constantly recurring. And the very families that say they can't afford to buy fluid milk, which in the table of food costs less, those same families can buy pork chops, and other meats, proteins, which have no higher protein value than some forms of fluid milk, such as cottage cheese. And this statement about it being more expensive is literally true but we overlook the fact that in whole milk we have butterfat. And you have a service also, and so on. I can't challenge your statement but I would like to see it appear in the record that there is a lot more than meets the eye in the difference between 8 cents and 22 cents a quart. In the first place you have got your butterfat in there, 4, 4½, or 3½ percent, and you have got the delivery service to the door of fresh fluid milk, inspection by the city authorities, and so on. And, personally, I don't think that any family that can afford to buy—I won't mention the name, I was about to do it—I call it "belly-wash"—any family that can afford to give its children money to buy soft drinks can afford to buy fresh fluid milk and, unfortunately, they don't.

Mr. REIDY. The families I was thinking of might be buying chitterlings rather than pork chops.

Mr. CASTLE. Well, that is true.

I might say that in Memphis a survey was made by the National Dairy Council nearly 14 years ago. And they made the survey in the

poor districts, largely colored, and they found out that 35 cents a week was spent by these colored children for cheap candy and soft drinks, and yet they weren't getting fresh fluid milk. And that was a good argument for the school lunch. But that figure of 35 cents at that time—compares with the price of fresh fluid milk—about 12 cents a quart then.

Mr. REIDY. That is all, sir.

I think the record should show that the subcommittee has invited everybody who has evinced an interest in the legislation. The Department of Agriculture and the National Milk Producers Federation got in touch with us and announced that they did not choose to testify.

Senator MURRAY. Thank you for your statement. And you may be sure that when your statement is filed it will be given very careful consideration.

Mr. CASTLE. Thank you.

Senator MURRAY. Anybody else?

STATEMENT OF DAVID WHATLEY, WASHINGTON, D. C.

Mr. WHATLEY. Could I have a couple of minutes?

My name is David Whatley. I was unfamiliar with the bill until this morning, but I have an intense interest in increasing the consumption of milk among our own people and abroad, from a humanitarian standpoint. I just merely wish to raise 1 or 2 brief questions.

One is to the comparative nutritional value of dry milk with whole milk. It is my understanding in talking on the subject, because of my interest in it, with top nutrition experts, that there is virtually no difference, Mr. Chairman, between the nutritional value of dry milk plus bacon grease, and whole milk with the same amount of fat. I contend that the nutrition of our people could be increased substantially, considering the price of milk by an expansion of dry milk purchases by low income people. I think in a bill such as this, which would do that even if it was at the expense of cutting into the consumption of whole milk, would be in the public interest.

I think that the witness who just spoke represents an organization which originally took a broad view in the public interest of this measure, but perhaps on second thought were overly concerned with the effect upon their own economic interests.

I would like to make one other brief point, Mr. Chairman, that not included in the statistics of the witness of the Dry Milk Institute were the amounts of dry milk necessarily purchased by CCC, which in 1954, were over 618 million pounds, which figure does not include the purchases for the school lunch program, which were 62 million pounds. That is a figure that is roughly the same as the amount sold in the domestic market. I make this point because, if we increased the consumption of dry milk in this country, it would require less expenditure on the part of CCC to purchase up the surplus.

Up until the enactment of Public Law 480 in 1954, the surplus of dry milk was enormous. It accumulated to such a point and was spoiling so fast, that Secretary Benson, who was a very humanitarian man, and sought diligently to distribute it to needy people here and

abroad to the fullest extent that the law permitted, was nevertheless required to sell dry milk for animal and poultry feed at virtually a complete loss to the CCC. The sales price, as I recall, on enormous sales in 1954, constituted only about 5 cents per pound. That cost substantially reimbursed CCC for their storage and handling costs. So, that it was in effect dumped or given away to animal and poultry feeders, because the legislation at that time did not permit him to facilitate its disposal abroad. Since the enactment of Public Law 480, which will be further facilitated in its disposition abroad by the enactment of the Humphrey-Lehman amendment in the pending bill, granting additional ocean freight costs to the voluntary agencies and to the national agencies such as UNICEF for the distribution of the surplus dry milk to the hungry children abroad, I contemplate that there will probably be no substantial surpluses in the future. But the surpluses may arise again. Any bill that could facilitate its disposition to the needy people in this country who can't afford to buy whole milk, I submit would be in the public interest from the standpoint of nutrition and the saving of taxpayers' dollars in the CCC expenditures.

Mr. REIDY. Would you identify yourself for the record? Are you speaking as a representative of an organization?

Mr. WHATLEY. No. I represent no organization. I have never received any compensation on behalf of my lobbying activities. I am just an obscure lawyer and real estate broker.

Mr. REIDY. Thank you.

Senator MURRAY. And does that conclude your statement?

Mr. WHATLEY. Yes, sir.

Senator MURRAY. Thank you very much.

Mr. WHATLEY. May I submit the figures on the disposition on that from CCC?

Senator MURRAY. Yes.

The meeting will end at this point.

Thank you for your interest in appearing here this morning.

(Messages received by the committee in relation to the bill follow:)

SHAWANO, WIS., May 23, 1956.

Senator HILL,

*Chairman of Labor and Public Welfare Committee,
Washington, D. C.*

We urge favorable action on Humphrey Bill, S. 1614, as a means of more favorable consumer reaction.

CONSOLIDATED BADGER CO-OP,
GEO. W. RUPPLE.

OTTAWA, KANS., May 23, 1956.

Senator HILL,

*Chairman of Labor and Public Welfare Committee,
Washington, D. C.*

We favor passage of Humphrey Bill, S. 1614, adopting nonfat, dry-milk terminology.

THE BENNETT CREAMERY CO.,
RANSOM BENNETT, Jr.

ST. LOUIS, MO., May 23, 1956.

HON. LISTER HILL,
Senate Office Building,
Washington, D. C.

We believe nomenclature "nonfat dry milk" provided in Humphrey bill, S. 1614, is in public interest. We therefore urge favorable consideration by your committee.

PET MILK CO.,
R. L. LATZER, *President.*

CLARKSBURG, W. VA., May 23, 1956.

HON. LISTER HILL,
Senate Office Building,
Washington, D. C.

The Carnation Co., as a manufacturer of dairy products, including nonfat dry-milk solids; and as a member of the American Dry Milk Institute, Inc., considers the word "solids" to be redundant and surplusage in view of the word "dry" in the present terminology; and urges you to vote in favor of S. 1614 adopting the terminology "nonfat dry milk." This bill is considered by us and we believe the dairy industry, to be of major importance to the general public, the dairy industry, the Carnation Co., and its many employees in the State of Alabama.

R. C. EVANS,
Vice president, Carnation Co., Los Angeles, Calif.

MEMPHIS, TENN., May 22, 1956.

SENATOR JAMES E. MURRAY,
Chairman, Subcommittee, Senate Labor and Public Welfare Committee,
Room P-63, Old Supreme Court Chamber, Capitol,
Washington, D. C.:

We protest changing name of nonfat dry milk solids because present advertising is grossly misleading to consumer and should be of concern to Federal Trade Commission. If name must be simplified suggest dry skim milk, suggest hearing be postponed so that fluid milk industry who are most affected have opportunity to appear.

RAYMOND SKINNER,
President, Forest Hill Dairy.
HUBERT GARRECHT,
President, Klinke Reed Dairy.

NEW YORK, N. Y., May 23, 1956.

SENATOR LISTER HILL,
Senate Office Building,
Washington, D. C.:

We strongly urge committee approval of Senate bill 1614 and enactment of law to change name to read "nonfat dry milk." This will simplify name and be completely descriptive. It should assist with added sales of product benefiting consumers and producers and based upon our experience no adverse effect upon sales of fluid milk or skimmed milk.

THE BORDEN CO.,
By W. A. WENTWORTH.

CALDWELL, IDAHO, May 23, 1956.

SENATOR LISTER HILL,
Chairman, Senate Committee, Labor and Public Welfare,
Senate Office Building, Washington, D. C.:

Three thousand dairy farmers owners of this organization respectfully urge you and your committee's favorable consideration of S. 1614, adopting terminology of nonfat dry milk instead of nonfat dry milk solids.

C. M. CARLSON,
Manager, Dairymen's Cooperative Creamery of Boise Valley.

MINNEAPOLIS, MINN., May 23, 1956.

Senator LISTER HILL,
Chairman, Senate Committee Labor and Public Welfare,
Washington, D. C.

We support and urgently request passage of Humphrey bill S. 1614.

F. D. STONE,
Land O' Lakes Creameries, Inc.

SAN FRANCISCO, CALIF., May 23, 1956.

Senator LISTER HILL,
Chairman, Senate Committee Labor and Public Welfare,
Washington, D. C.

Progress within dairy industry demands increased sales and better utilization of nonfat dry milk. Humphrey bill S. 1614 is step in achieving this. The bill is reasonable and fair. Please exert every effort to have this bill become a law.

GROVER D. TURNBOW,
President, Foremost Dairies, Inc.

PHILADELPHIA, PA., May 22, 1956.

Senator JAMES E. MURRAY,
Chairman, Subcommittee Senate Labor and Welfare Committee, Room P-63,
Old Supreme Court Chamber, Capitol Building, Washington, D. C.:

As a member of Milk Industry Foundation and its past president and actively engaged in the fluid milk business, I am concerned about the change in standard of identity of nonfat dry milk solid to nonfat dry milk and its competitive effect fluid milk and the prices paid to farmers for milk. MIF is studying this problem which will be reconsidered at its board meeting in June.

F. BRUCE BALDWIN, Jr.,
Abbotts Dairies, 3042 Chestnut Street, Philadelphia, Pa.

(Whereupon at 11:10 a. m. the subcommittee meeting adjourned.)

×

LEGISLATIVE HISTORY

Public Law 646
S. 1614

TABLE OF CONTENTS

Index and summary of S. 1614	.1
Digest of Public Law 646	.2

INDEX AND SUMMARY OF S. 1614

Mar. 28, 1955 Rep. O'Hara, Minn., introduced H. R. 5257 which was referred to the House Interstate and Foreign Commerce Committee. Print of bill.

Mar. 30, 1955 Sen. Humphrey introduced S. 1614 which was referred to the Senate Labor and Public Welfare Committee. Print of bill. Remarks of author.

May 17, 1956 House committee reported H. R. 5257 with amendment. House Report No. 2176. Print of bill and report.

May 23, 1956 Senate subcommittee ordered S. 1614 reported to the full committee.

May 24, 1956 Senate committee ordered S. 1614 reported without amendment.

May 29, 1956 Senate committee reported S. 1614 without amendment. Senate Report No. 2064. Print of bill and report.

June 5, 1956 At the request of Rep. Lovre the House passed over H. R. 5257.

June 7, 1956 Senate passed S. 1614 without amendment.

June 18, 1956 House passed S. 1614 with amendments in lieu of H. R. 5257.

June 20, 1956 Senate agreed to House amendments to S. 1614.

July 2, 1956 Approved: Public Law 646, 84th Cong.

Hearings: Senate Labor and Public Welfare
Committee on S. 1614, May 22, 1956

DIGEST OF PUBLIC LAW 646

NONFAT DRY MILK. Changes the term "nonfat dry milk solids or defatted milk solids" to "nonfat dry milk" for purposes of the Federal Food, Drug, and Cosmetic Act.

THE MAY 1900 TO 1901

The first of these years was a year of the most
of the "May 1900" at the time of the
the first of the year, and the first of the year.

110th Congress
H. R. 5257

IN THE HOUSE OF REPRESENTATIVES

January 12, 2017

For the purpose of amending the Department of Education
and the Department of the Treasury and the Federal Reserve

A BILL

to amend the Department of Education and the Department of the Treasury
and the Federal Reserve, to amend the Department of Education
and the Department of the Treasury and the Federal Reserve

1. To amend the Department of Education and the Department of the Treasury and the Federal Reserve
2. To amend the Department of Education and the Department of the Treasury and the Federal Reserve

84TH CONGRESS
1ST SESSION

H. R. 5257

IN THE HOUSE OF REPRESENTATIVES

MARCH 28, 1955

Mr. O'HARA of Minnesota introduced the following bill; which was referred to the Committee on Interstate and Foreign Commerce

A BILL

To amend the Act entitled "An Act to fix a reasonable definition and standard of identity of certain dry milk solids" (21 U. S. C., sec. 321c).

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That Public Law Numbered 244, Seventy-eighth Congress,
4 second session, approved March 2, 1944 (21 U. S. C. 321c),
5 entitled "An Act to fix a reasonable definition and standard
6 of identity of certain dry milk solids" is amended to read
7 as follows: "For the purposes of the Federal Food, Drug,
8 and Cosmetic Act of June 26, 1938 (ch. 675, sec. 1, 52
9 Stat. 1040), nonfat dry milk is the product resulting from
10 the removal of fat and water from milk, and contains the

1 lactose, milk proteins, and milk minerals in the same rela-
2 tive proportions as in the fresh milk from which made. It
3 contains not over 5 per centum by weight of moisture.
4 The fat content is not over $1\frac{1}{2}$ per centum by weight unless
5 otherwise indicated.

6 The term "milk", when used herein, means sweet milk
7 of cows.

84TH CONGRESS
1ST SESSION

H. R. 5257

A BILL

To amend the Act entitled "An Act to fix a reasonable definition and standard of identity of certain dry milk solids" (21 U. S. C., sec. 321c).

By Mr. O'HARA of Minnesota

MARCH 28, 1955

Referred to the Committee on Interstate and Foreign
Commerce

84TH CONGRESS
1ST SESSION

S. 1614

IN THE SENATE OF THE UNITED STATES

MARCH 30 (legislative day, MARCH 10), 1955

Mr. HUMPHREY introduced the following bill; which was read twice and referred to the Committee on Labor and Public Welfare

A BILL

To amend the Act entitled "An Act to fix a reasonable definition and standard of identity of certain dry milk solids", title 21, United States Code, section 321c.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That Public Law Numbered 244, Seventy-eighth Congress
4 second session, approved March 2, 1944, title 21, United
5 States Code, section 321c, entitled "An Act to fix a reason-
6 able definition and standard of identity of certain dry milk
7 solids" is amended to read as follows: "For the purposes of
8 the Federal Food, Drug and Cosmetic Act of June 26, 1938
9 (ch. 675, sec. 1, 52 Stat. 1040), nonfat dry milk is the
10 product resulting from the removal of fat and water from

1 milk, and contains the lactose, milk proteins, and milk
 2 minerals in the same relative proportions as in the fresh
 3 milk from which made. It contains not over 5 per centum
 4 by weight of moisture. The fat content is not over $1\frac{1}{2}$ per
 5 centum by weight unless otherwise indicated.

6 The term "milk", when used herein, means "sweet milk
 7 of cows".

84TH CONGRESS
 1ST SESSION

S. 1614

A BILL

To amend the Act entitled "An Act to fix a reasonable definition and standard of identity of certain dry milk solids", title 21, United States Code, section 321c.

By Mr. HUMPHREY

MARCH 30 (legislative day, MARCH 10), 1955

Read twice and referred to the Committee on Labor and Public Welfare

agreement. Its function is basically to advise how best these difficult problems can be solved for the highest interests of our country and its citizens.

CONCLUSION

I trust, therefore, that this legislation will be promptly acted upon by the Senate and House Judiciary Committees and thereafter be speedily approved by both Chambers so that the Commission and advisory committee can rapidly commence their vital work.

AMENDMENT OF AGRICULTURAL ACT OF 1949, AS AMENDED, RELATING TO PRICE SUPPORT FOR WHEY

Mr. WILEY. Mr. President, I send to the desk a bill to assure price support of whey.

I may say for the benefit of those who are not familiar with this product, that whey is the liquid remaining after the coagulation of the curd in the manufacture of cheese. One hundred pounds of whole milk becomes roughly 90 pounds of milk and 10 pounds of cheese.

The 90 pounds of whey, which remain following the production of cheese, bear the same sort of relation to whole milk as do the 90 pounds of skim milk, which remain after skimming off the cream in the production of butter. Thus, when cream is skimmed for manufacturing butter 100 pounds of whole milk becomes roughly 10 pounds of cream and 90 pounds of skim milk.

Skim milk is dried into a powder which is known as dry skim milk, or when certain standards are met, nonfat dried milk solids. Whey is also dried into a product known as dried whey. Both skim milk and whey in dry form are used in animal feed. However, the quantity of skim milk used in animal feed is about 2 percent of the total quantity produced. By contrast, the quantity of dried whey used in animal feed is about 90 percent of the total quantity produced.

The price of nonfat dried milk solids is supported under the price-support program by Government purchase. However, the price of dried whey is not supported.

I introduce the bill, for appropriate reference, together with one of many recent messages which have come to my office asking for enactment of this bill, an objective which I previously sought through the introduction of a bill in the last Congress on April 8, 1954. I ask unanimous consent that the bill and letter be printed in the RECORD, at this point.

The ACTING PRESIDENT pro tempore. The bill will be received and appropriately referred; and, without objection, the bill and letter will be printed in the RECORD.

The bill (S. 1607) to amend section 201 (c) of the Agricultural Act of 1949, as amended by the Agricultural Act of 1954, introduced by Mr. WILEY, was received, read twice by its title, referred to the Committee on Agriculture and Forestry, and ordered to be printed in the RECORD, as follows:

Be it enacted, etc., That section 201 (c) of the Agricultural Act of 1949, as amended by the Agricultural Act of 1954 (7 U. S. C.,

sec. 1446 (c)), is amended by adding at the end thereof the following new sentences: "For the purposes of this section, the products of whey shall be considered to be products of milk. Any price-support operations under this program shall be conducted in a manner which will not demoralize or interfere with the production and marketing of the products of whey."

The letter presented by Mr. WILEY is as follows:

WISCONSIN ACCREDITED CHEESE
FACTORIES COOPERATIVE,
Green Bay, Wis., March 29, 1955.

Senator ALEXANDER WILEY.

GENTLEMEN: Owing to the fact that dried or condensed whey products are not under the support program but should be considered part of the dairy industry, many cheese factories are unable to dispose of their liquid whey.

This will result in a reduced income to farmers, and will result in a serious whey disposal because the health and conservation departments of the State of Wisconsin are determined that it cannot be disposed of in any streams or in ditches along highways.

Our group of cheese factories would appreciate whatever you can do for us to eliminate this problem by some support for whey products.

Yours very truly,
WISCONSIN ACCREDITED CHEESE FAC-
TORIES,
E. J. SPRAY, Secretary-Treasurer.

DEFINITION OF CERTAIN DRY MILK SOLIDS

Mr. HUMPHREY. Mr. President, I introduce for appropriate reference, a bill to amend the act of Congress defining nonfat dry milk, in order to clarify the name of this milk byproduct.

The amendment I propose to the law would change the name from "nonfat dry milk solids" or "defatted milk solids," as in the existing law, to "nonfat dry milk."

My objective in seeking this change is to encourage efforts to stimulate popular consumption of this nourishing product, which is providing an ever-increasing outlet for our milk and holds promise of becoming an even more important market.

In the years since the enactment of Public Law 244 of the 78th Congress, containing the present definitions, it has been found that the term "defatted milk solids" offered as an alternative designation is not being used.

The use of the word "solids" is redundant when it is a part of a name which also includes the word "dry."

The word "solids" is not generally understood by consumers, and is therefore confusing when found on the label of a food which requires ingredient labeling.

At the time the original designation was made, the market for nonfat dry milk was almost entirely within commercial trade circles such as among bakers. Now, however, this product is on the shelves of nearly every supermarket, and an effort is being made to expand its use in our homes. Both the Dry Milk Institute and the National Federation of Milk Producers feel it would help marketing of this product if

it could be legally labeled as "nonfat dry milk," without use of the extra word "solids."

The ACTING PRESIDENT pro tempore. The bill will be received and appropriately referred.

The bill (S. 1614) to amend "An act to fix a reasonable definition and standard of identity of certain dry milk solids," title 21, United States Code, section 321c, introduced by Mr. HUMPHREY, was received, read twice by its title, and referred to the Committee on Labor and Public Welfare.

DEDICATION OF LEE MANSION IN ARLINGTON NATIONAL CEMETERY AS A PERMANENT MEMORIAL TO ROBERT E. LEE

Mr. KEFAUVER. Mr. President, I introduce, for appropriate reference, a joint resolution dedicating the Lee Mansion in Arlington National Cemetery as a permanent memorial to Robert E. Lee. This is a companion joint resolution to the one introduced in the House of Representatives by Representative BROYHILL, of Virginia, paying honor and tribute to the memory of Robert E. Lee on the 90th anniversary of the cessation of hostilities in the War Between the States, at Appomattox Courthouse.

The ACTING PRESIDENT pro tempore. The joint resolution will be received and appropriately referred.

The joint resolution (S. J. Res. 62) dedicating the Lee Mansion in Arlington National Cemetery as a permanent memorial to Robert E. Lee, introduced by Mr. KEFAUVER, was received, read twice by its title, and referred to the Committee on Rules and Administration.

COMMISSION FOR CELEBRATION OF 100TH ANNIVERSARY OF BIRTH OF THEODORE ROOSEVELT

Mr. IVES. Mr. President, I introduce, for appropriate reference, a joint resolution to establish a commission for the celebration of the 100th anniversary of the birth of Theodore Roosevelt. A companion measure is being submitted to the House of Representatives by the distinguished minority leader, Representative JOSEPH W. MARTIN, JR.

It is incumbent upon the Congress to take appropriate steps to mark the 100th anniversary of the birth of this great American leader, which will take place in 1958. The Commission which would be established under the joint resolution is directed to prepare plans and a program to signalize this event, including plans for the completion of the development of Theodore Roosevelt Island in the Potomac River. The Commission is required to report to the Congress by March 1, 1956, to permit further enabling legislation to be enacted if necessary.

Mr. President, I ask unanimous consent to have printed in the body of the RECORD following my remarks the text of the joint resolution.

The ACTING PRESIDENT pro tempore. The joint resolution will be received and appropriately referred; and,

without objection, will be printed in the RECORD.

The joint resolution (S. J. Res. 63) to establish a commission for the celebration of the 100th anniversary of the birth of Theodore Roosevelt, introduced by Mr. IVES, was received, read twice by its title, referred to the Committee on the Judiciary, and ordered to be printed in the RECORD, as follows:

Resolved, etc., That there is hereby established a commission to be known as the "Theodore Roosevelt Centennial Commission" (hereinafter referred to as the "Commission") which shall be composed of 15 Commissioners as follows: The President of the United States, the President of the Senate, and the Speaker of the House of Representatives, all ex officio, and 8 persons to be appointed by the President of the United States, 2 Senators to be appointed by the President of the Senate, and 2 Representatives to be appointed by the Speaker of the House of Representatives.

SEC. 2. It shall be the duty of the Commission, after announcement to the American people of its creation and purpose, to prepare plans and a program for signalizing the 100th anniversary of the birth of Theodore Roosevelt in the year 1958, including plans for the completion of the development of Theodore Roosevelt Island in the Potomac River in accordance with the act entitled "An act to establish a memorial to Theodore Roosevelt in the National Capital," approved May 21, 1932 (47 Stat. 163) as amended by the act approved February 11, 1933 (47 Stat. 799). In preparing such plans and program, the Commission shall give due consideration to any plan which may be submitted to it, and shall take such steps as may be necessary to coordinate and correlate its plans with those prepared by State or civic bodies. If the participation of other nations in the commemoration is deemed advisable, the Commission may communicate to that end with the governments of such nations through the State Department.

SEC. 3. (a) The Commission shall select a Chairman and a Vice Chairman from among its members, and may employ, without regard to the civil-service laws or the Classification Act of 1949, such employees as may be necessary in carrying out its functions.

(b) Service of an individual as a member of the Commission shall not be considered as service or employment bringing such individual within the provisions of section 216, 281, 283, 284, 434, or 1914 of title 18 of the United States Code, or section 190 of the Revised Statutes (5 U. S. C. 99), or section 412 of the Mutual Defense Assistance Act of 1949 (22 U. S. C. 1584); nor shall any member of the Commission by reason of his status as such be deemed to be an "officer of the Government" within the meaning of the Act of April 27, 1916 (5 U. S. C. 107).

SEC. 4. The Commissioners shall serve without compensation, but may be reimbursed for expenses incurred by them in carrying out the duties of the Commission.

SEC. 5. When the Commission has approved a plan of celebration, it shall submit it, insofar as it relates to the fine arts, to the Commission of Fine Arts for its approval.

SEC. 6. The Commission shall, on or before March 1, 1956, make a report to the Congress in order that further enabling legislation may be enacted.

SEC. 7. There are hereby authorized to be appropriated such sums as may be necessary to carry out the provisions of this joint resolution, but in no event shall the sums hereby authorized to be appropriated exceed a total of \$10,000.

SEC. 8. The Commission shall expire upon the completion of its duties, but in no event later than October 27, 1959.

WORLD FOOD BANK AND THE INTERNATIONAL DISTRIBUTION OF FOOD

Mr. SCOTT. Mr. President, on behalf of myself and the able Senator from Montana [Mr. MURRAY] I submit, for appropriate reference, a resolution which declares that it is the sense of the Senate that the President of the United States should negotiate with other nations in an endeavor to establish an international agreement for the creation and operation of a World Food Bank.

I also have joined with the Senator from Montana and other Senators in the submission of another resolution, which deals with the overall problem of gearing together production and consumption, through the vehicle or mechanics of international distribution. There is no basic conflict between the two resolutions; only the emphasis and approach are different.

To my mind, Mr. President, no more effective weapon could be forged for use in the battle against the insidious assaults of international communism than the creation of a World Food Bank with facilities for lessening the pangs of hunger that gnaw in the stomachs of hundreds of millions of people.

All the evidence points to the inescapable conclusion that international communism sprouts quicker, and grows faster, in lands where hunger stalks and the shadow of starvation is the companion of the masses.

We have learned—all the world has learned—that an international bank, conceived and operated along democratic lines, can and will operate successfully for the mutual benefit of all participating nations. I refer directly and specifically to the International Bank for Reconstruction and Development.

This institution for the betterment of mankind and for the promotion of peace and amity among nations grew out of the Bretton Woods Conference held in July of 1944. Its creation and the building of the machinery for its successful operation constitute a major accomplishment of the Democratic Party, but I hasten to add that bipartisan support was not lacking.

Today, the International Bank for Reconstruction and Development has 56 members, and its balance sheet—the measure of the peaceful services it is rendering in a world torn with strife—tells a graphic story of what nations can accomplish when they work together toward a common goal.

Mr. President, I wish at this point to draw particular attention to the fact that the International Bank for Reconstruction and Development is not a charitable organization engaged in a giveaway program, just as the World Food Bank proposed by this resolution will not operate as a giveaway institution.

No; the International Bank for Reconstruction and Development definitely is not a charity or giveaway organization as is shown by the fact that its net income for the 9-month period ended March 31, 1954, was \$15,006,000.

The World Food Bank, as proposed by this resolution, will serve as a medium of distribution for the effective and businesslike disposal and utilization of so-called surplus food, fiber, and other agricultural products which have or may accumulate or be needed in this and other participating nations. And, I submit, sir, that in view of the fact that it is costing the American taxpayer in excess of half a million dollars a day in warehouse and storage fees alone to carry our excess stocks, it is high time that something be done to put these stores into humanitarian use, without loss to the taxpayer, through the medium of a World Food Bank.

We have learned by experience that an international bank can operate successfully in the development of electric power, transportation, communications, forestry, industrial expansion, and in many other fields. The same overall principles will work just as successfully in providing machinery for the distribution of food, fiber, and other agricultural products, to bring nearer into balance world production and consumption of these commodities.

It is my sincere hope that Members on both sides of the aisle, and the executive branch of the Government also, will join in this effort to solve the problem of excess food and fiber stocks on one hand—and hunger, starvation, and sometimes even famine on the other—a solution which also will strike a lethal blow to the expansion hopes of those who crouch in the Kremlin and scheme against the individual freedoms of mankind.

The ACTING PRESIDENT pro tempore. The resolution will be received and appropriately referred.

The resolution (S. Res. 85), submitted by Mr. SCOTT (for himself and Mr. MURRAY), was received, and referred to the Committee on Foreign Relations, as follows:

Whereas international statistics show that more than 1 billion people of the total world population of 2,400,000,000, go to bed at night with their hunger only partially satisfied; and

Whereas communism and other ideologies foreign to the concept of freedom of the individual man thrive best in the land where the specter of hunger stalks; and

Whereas the people of many lands, ill-fed, ill-clothed, and yearning for the freedom and blessings of a democratic way of life for themselves and their children, need bread, butter, and other life-sustaining foods just as sorely as they need guns, tanks, and airplanes to resist the insidious assaults and false promises of individual-degrading political and economic ideologies; and

Whereas during most years the world production of food and raw materials for clothing are ample, if distributed properly, to fill the basic needs of all the peoples of the world; and

Whereas nature has been particularly bountiful to the people of the United States of America where we have stored in warehouses scattered throughout the land huge stocks of surplus food items and raw materials for clothing; and

Whereas the United States is in a position to lead and should lead in helping to relieve the pangs of hunger that gnaw at the vitals of millions who need increased physical strength and endurance to resist aggression and subversive influences; and

Digest of CONGRESSIONAL PROCEEDINGS

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

Issued May 18, 1956

For actions of May 17, 1956

84th-2nd, No. 81

OFFICE OF BUDGET AND FINANCE
(For Department Staff Only)

CONTENTS

Adjournment.....	19	Foreign trade.....	17,31	Personnel.....	9,30
Appropriations.....	4,18,25	Forestry.....	6,8	Postal service.....	15
Dairy industry.....	26	Housing.....	7	Research.....	4,7,14
Defense production.....	18	Insects.....	25	Roads.....	6,8
Electrification.....	5,20,28	Labor, farm.....	27	Sugar.....	1
Experiment stations.....	29	unions.....	24	Textiles.....	17
Export control.....	18	Legislative program.....	18	Tobacco.....	10
Farm labor camps.....	7	Loans, housing.....	7	Transportation.....	27
farm program.....	2,23	farm.....	12,21	Water.....	5,13
Fisheries.....	3,22	Meat inspection.....	29	Watersheds.....	32
Foreign aid.....	16,18	Milk.....	11		

HIGHLIGHTS: Both Houses agreed to conference report on sugar bill. Ready for President. Senate debated farm bill. Senate committee reported fisheries stabilization bill. Sen. Stennis described and commended USDA research program. House committee reported bill to alter dates for proclamation of tobacco quotas. House committee reported bill to further define dry milk solids. House Rules Committee cleared bill to merge PCA's and intermediate credit banks.

SENATE

- SUGAR.** Both Houses agreed to the conference report on H. R. 7030, to amend and extend the Sugar Act of 1948. pp. 7508, 7529 This bill will now be sent to the President.
- FARM PROGRAM.** Began debate on H. R. 10875, the farm bill. pp. 7480, 7487, 7492, 7497, 7499, 7501, 7510, 7520
Agreed to all committee amendments, but only for the purpose of enabling the bill, as so amended, to be considered as original text for the purpose of amendment (p. 7492). Agreed to limit debate to 1 hour on each amendment, beginning today, and to limit debate on the bill itself to 2 hours (p. 7491). Sen. Aiken inserted a letter from the Secretary in response to a request for information on the possibility of getting a soil bank into operation on the 1956 crops (p. 7501). Sen. Daniel presented and discussed an amendment (on behalf of himself and others) to restore the House language on feed grains with a modification (p. 7520). Sens. Williams, Young, Martin of Pa., Anderson, Daniel, and Barrett submitted amendments which they intend to propose to the bill (p. 7480).
- FISHERIES.** The Committee on Interstate and Foreign Commerce reported with amendments S. 3275, which establishes a separate Fisheries Division of the Interior Department (outside of Fish and Wildlife Service) and a policy-making Fisheries Commission, transfers to the Fisheries Division all functions of the Secretary of Agriculture and others relating to the development, advancement, management, conservation, and protection of fisheries, and authorizes appropriations to

carry out the bill. Sen. Magnuson discussed the bill and inserted its text and a list of organizations supporting it. p. 7472

4. RESEARCH; APPROPRIATIONS. Sen. Stennis commended the Department's research program and recent increases in appropriations for this purpose, stated that these appropriations are small compared with funds for military research, and described various agricultural research accomplishments. p. 7516
 5. ELECTRIFICATION; WATER DEVELOPMENT. Sen. Neuberger inserted articles by Peter Inglis favoring joint development of Columbia River resources, for power and other purposes, by the U. S. and Canada. p. 7484
 6. ROADS; FORESTRY. Sen. Neuberger inserted and commended testimony by the National Lumber Manufacturers Association favoring exemption from gasoline tax of trucks traveling on private roads. p. 7499
 7. HOUSING. As reported (see Digest 79), S. 3855, the omnibus housing bill, includes provisions as follows: Sec. 605 amends Title V of the Housing Act of 1949 to authorize, for a 5-year period beginning July 1, 1956, and ending June 30, 1961, (1) \$450 million for farm housing loans through this Department, (2) \$10 million for contributions by this Department to prevent defaults in payments of loans for potentially adequate farms, and (3) \$50 million for grants and loans for improvement and repair of certain farms. Sec. 502 directs the Public Housing Authority, upon request, to transfer farm-labor camps to local public housing agencies, without compensation, with first preference as to use being given to low-income farm workers. Sec. 602 directs the Housing Administrator to conduct a research program covering the supply and demand factors affecting the housing market, mortgage market problems, the need for low-income housing, etc. Sec. 604 provides for a Commission on National Housing Policy, to make recommendations, by June 30, 1957, relating to housing needs, discounting of Government-supported mortgages, the prospects of new sources of investment funds, etc.
 8. ROADS; FORESTRY. As reported (see Digest 77), H. R. 10660 authorizes \$24 million for each of the fiscal years 1958-61 for forest development roads and trails (House version authorizes \$27 million for each of the fiscal years 1958-59), and authorizes \$22.5 million annually for each of the fiscal years 1958-61 for forest highways (House version authorizes \$25 million for each of the fiscal years 1958-59).
 9. PERSONNEL. This Office has received from the Joint Committee on Atomic Energy one copy of a committee print, "Engineering and Scientific Manpower in the United States, Western Europe, and Soviet Russia." This is a statistical report on the numbers of trained engineers and natural scientists and the status of training for this type of profession. Copies of the report will not be available from this Office, but may be purchased from the Superintendent of Documents, GPO, for 25 cents a copy.
- HOUSE
10. TOBACCO. The Agriculture Committee reported with amendment H. R. 9475, to alter the date of proclamation of marketing quotas for flue-cured and other types of tobacco (H. Rept. 2180). p. 7579
 11. MILK. The Interstate and Foreign Commerce Committee reported with amendment H. R. 5257, to further define nonfat dry milk solids for purposes of the Federal Food, Drug, and Cosmetic Act (H. Rept. 2176). p. 7579

DEFINITION OF "NONFAT DRY MILK"

MAY 17, 1956.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

MR. ROBERTS, from the Committee on Interstate and Foreign Commerce, submitted the following

R E P O R T

[To accompany H. R. 5257]

The Committee on Interstate and Foreign Commerce, to whom was referred the bill (H. R. 5257) to amend the act entitled "An act to fix a reasonable definition and standard of identity of certain dry milk solids" (21 U. S. C., sec. 321c), having considered the same, report favorably thereon with amendments and recommend that the bill as amended do pass.

The amendments are as follows:

Page 1, line 3, strike out "Numbered".

Page 1, line 7, strike out "For" and insert "That for".

Page 2, strike out lines 6 and 7, and insert in lieu thereof the following:

The term "milk", when used herein, means sweet milk of COWS.

PURPOSE OF AMENDMENTS

The amendments are technical in nature and are proposed by the committee in order to eliminate certain technical inaccuracies in the introduced bill.

PURPOSE OF LEGISLATION

The purpose of the bill is to change the name of a product referred to in the act of March 2, 1944 (Public Law 244, 78th Cong., 20 U. S. C. 321c) from "nonfat dry milk solids or defatted milk solids" to "nonfat dry milk." Public Law 244 fixes a definition and standard of identity for this product for the purposes of the Federal Food, Drug, and Cosmetic Act.

The word "solids" would be eliminated from the name "nondry milk solids" because it is unnecessary. The name "nonfat dry milk" accurately describes the product.

The bill also would eliminate entirely the alternative name "defatted milk solids" used in Public Law 244 for this product. This alternative name has seldom been used and is not generally known to the consuming public.

Hearings were held on this bill and testimony was received from the Commissioner of Food and Drugs and the American Dry Milk Institute in support of this legislation. The committee knows of no opposition to the bill.

CHANGES IN EXISTING LAW

In compliance with clause 3 of Rule XIII of the Rules of the House of Representatives, changes in existing law made by the bill, as introduced, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italics, existing law in which no change is proposed is shown in roman):

[PUBLIC LAW 244—78TH CONGRESS]

[CHAPTER 77—2D SESSION]

AN ACT To fix a reasonable definition and standard of identity of certain dry milk solids

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, [That for] For the purposes of the Federal Food, Drug, and Cosmetic Act of June 26, 1938 (ch. 675, sec. 1, 52 Stat. 1040), nonfat dry milk [solids or defatted milk solids] is the product resulting from the removal of fat and water from milk, and contains the lactose, milk proteins, and milk minerals in the same relative proportions as in the fresh milk from which made. It contains not over 5 per centum by weight of moisture. The fat content is not over 1½ per centum by weight unless otherwise indicated.

The term "milk", when used herein, means sweet milk of cows.



Union Calendar No. 806

84TH CONGRESS
2^D SESSION

H. R. 5257

[Report No. 2176]

IN THE HOUSE OF REPRESENTATIVES

MARCH 28, 1955

Mr. O'HARA of Minnesota introduced the following bill; which was referred to the Committee on Interstate and Foreign Commerce

MAY 17, 1956

Reported with amendments, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

[Omit the part struck through and insert the part printed in italic]

A BILL

To amend the Act entitled "An Act to fix a reasonable definition and standard of identity of certain dry milk solids" (21 U. S. C., sec. 321c).

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That Public Law ~~Numbered~~ 244, Seventy-eighth Congress,
4 second session, approved March 2, 1944 (21 U. S. C. 321c),
5 entitled "An Act to fix a reasonable definition and standard
6 of identity of certain dry milk solids" is amended to read
7 as follows: "~~For~~ *That* for the purposes of the Federal Food,
8 Drug, and Cosmetic Act of June 26, 1938 (ch. 675, sec. 1,
9 52 Stat. 1040), nonfat dry milk is the product resulting

1 from the removal of fat and water from milk, and contains
2 the lactose, milk proteins, and milk minerals in the same rela-
3 tive proportions as in the fresh milk from which made. It
4 contains not over 5 per centum by weight of moisture. The
5 fat content is not over $1\frac{1}{2}$ per centum by weight unless
6 otherwise indicated.

7 ~~The term “milk”, when used herein, means sweet milk~~
8 ~~of cows.~~

9 *“The term ‘milk’, when used herein, means sweet milk*
10 *of cows.”*

84TH CONGRESS
2d Session

H. R. 5257

[Report No. 2176]

A BILL

To amend the Act entitled "An Act to fix a reasonable definition and standard of identity of certain dry milk solids" (21 U. S. C., sec. 321c).

By Mr. O'HARA of Minnesota

MARCH 28, 1955

Referred to the Committee on Interstate and Foreign
Commerce

MAY 17, 1956

Reported with amendments, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

H. R. 525

(Passed May 1901)

A BILL

TO

AMEND

THE

ACT

TO

AMEND

THE

ACT

TO

May 23, 1956

explain the Department's failure to contract with additional preference customers. "It is difficult to understand how the Department can take this position in view of the provisions of the Flood Control Act, which establish REA cooperatives as preference customers and call for the widest distribution of power generated at Federal dams at the lowest possible cost, consistent with good business practices. The testimony of the Department witnesses as to the reasons why certain preference customers have not been granted contracts with the SPA was in no sense conclusive. The Committee therefore directs the Department to consider further the applications for power and for integration of REA systems which have been presented to the Southwestern Power Administration and to report to the Committee at the time of the hearings on the 1958 budget the action taken.

"The Committee desires also that a further study be made of the feasibility of serving the load centers of the cooperatives on the Northwest Electric Power generating and transmitting co-op system at the basic SPA power rate until such time as the Northwest system is loaded to the full capacity of its own steam-generating plant at Missouri City. The Conferees on the 1956 Public Works Appropriation Bill directed integration arrangements which would provide for service to distribution co-ops at the basic SPA rate, if practical. From the testimony obtained during the hearings, it appears clear that such a contractual arrangement with Northwest is practical, at least until the Missouri City Steam Plant is entirely loaded."

COORDINATION OF PUBLIC CONSTRUCTION PROGRAMS

"It has been brought to the attention of the Committee, in connection with several projects, that construction by public agencies has not been coordinated and that considerable unnecessary expense has resulted. This has been especially true with regard to additional road construction in reservoir areas between the time of authorization and construction of water control projects, resulting in unnecessary additional costs for relocation. In connection with one project, road development in the reservoir area in recent years is so extensive that the cost of relocation apparently makes a previously well justified project completely infeasible. In other instances the Forest Service of the United States Department of Agriculture has built access roads that are much more permanent, and much more costly than necessary for logging operations.

"In general, this problem is most serious as it affects the program of the Corps of Engineers since their projects usually have to bear the additional costs involved. It, therefore, behooves the Corps to take the lead in developing a system of information exchange and better cooperation between public construction agencies. The Committee will expect a report on progress in this field when hearings are held on the budget for 1958."

SENATE

13. PERSONNEL. Passed with amendments S. 2875, the Johnston retirement bill. pp. 7894, 7908, 7913, 7921, 7933, 7940

Agreed to the following amendments:

By Sen. Johnston, to establish ceilings on the amount of annual benefits which may be paid to surviving children. p. 7921

By Sen. Carlson, directing the Secretary of the Treasury to invest retirement funds in U. S. interest-bearing securities, and the income derived from these investments to become a part of the retirement fund. p. 7923

By Sen. Johnston (as a substitute for an amendment by Sen. Carlson), to strike provisions from bill permitting employees who quit with less than 20 years of service to obtain social security coverage for the service. p. 7927

By Sen. Hill, to credit certain military duty for retirement purposes. p. 7933

Rejected the following amendments:

By Sen. Knowland, to strike out the provision in the bill providing free and automatic survivor rights on the first 2400 of annuities, and to retain the present provisions of law regarding this, by a vote of 16 to 65. p. 7934

By Sen. Carlson, to delete the provision in the bill which provides for optional retirement before the age of 60, by a vote of 36 to 46. p. 7927

Sen. Smathers inserted a proclamation by the Governor of Florida proclaiming the week of June 10, "Federal Government Employees Appreciation Week". p. 7894

14. APPROPRIATIONS. The Appropriations Committee reported with amendments H. R. 10899, the Commerce Department appropriation bill (S. Rept. 2039). p. 7895
15. FORESTRY. The Interstate and Foreign Commerce Committee reported without amendment H. R. 9822, to provide for the establishment of a trout hatchery on the Davidson River in the Pisgah National Forest, N. C. (S. Rept. 2038). p. 7895
16. FARM PROGRAM. Sen. Humphrey and others commented on the recent passage of the farm bill and criticized Administration farm policies. p. 7913
17. EXTENSION SERVICE. Sen. Wiley inserted a Christian Science Monitor article paying tribute to the Univ. of Wis. extension division. p. 7906
18. RECREATION. Sen. Neuberger spoke on the need for additional outdoor recreational facilities, and inserted a magazine article on the subject. p. 7910.
19. VETERANS. Sen. Langer inserted a speech of the vice commander, Disabled American Veterans, criticizing the report of the Bradley Commission on veterans' affairs. p. 7911
20. FARM PRICES. Sen. Capehart inserted several tables showing recent trends in farm prices in Indiana for a number of farm commodities. p. 7937
21. ROADS. Sen. Case inserted and commented on several tables relating to apportionment of Federal funds to States for highway construction, construction costs of highways by the mile, etc. p. 7944
22. LIBRARY SERVICES. A Labor and Public Welfare subcommittee ordered reported to the full committee without amendment H. R. 2840, to promote the further development of public library service in rural areas. p. D519
23. MILK. A Labor and Public Welfare subcommittee ordered reported to the full committee without amendment S. 1614, to revise the definition and standards of certain dry milk solids. ~~p. D519~~
24. HOUSING. Made S. 3855, the housing bill, its unfinished business to be considered today. p. 7948

ITEMS IN APPENDIX

25. FARM PROGRAM. Rep. Albert inserted a "concise" statement of the major provisions of H. R. 10875, the new farm bill. p. A 4153
Sen. Neuberger inserted a constituent's letter explaining in detail how he plans to incorporate the soil-bank provisions into his farm plan. p. A 4131
Sen. Watkins inserted a letter written to the editor of a newspaper and stated "this letter, which commends President Eisenhower for his veto on H.R. 12,

Digest of CONGRESSIONAL PROCEEDINGS

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

OFFICE OF BUDGET AND FINANCE
(For Department Staff Only)

Issued
For actions of

May 25, 1956
May 24, 1956
84th-2nd, No. 86

CONTENTS

Adjournment.....9	Health.....33	Property.....34
Agricultural appropriations.....2	Housing loans.....10,25	Reclamation.....22
Appropriations.....2,12,20	Land transfer.....30	Research.....33
CCC.....1	Library services.....15	Roads.....13
Cheese.....1	Milk.....16	Small business.....28
Dairy industry.....1,26	Monopolies.....6,27	Soil conservation.....20
Electrification.....24	Mutual security.....7	Surplus commodities.....1,18,31
Farm program.....14,21	Personnel.....5,29	Veterans' benefits.....25
Fisheries.....11	Pest control.....33	Water.....17,19
Flood control.....32	Postal service.....4	Wheat.....21
Foreign aid.....7,23	Poultry.....35	Wildlife.....1
Grains.....1	Price supports.....3	

HIGHLIGHTS: House committee reported bill to increase CCC borrowing authority. Conferees received permission to file report on USDA appropriation bill by Fri. midnight. Rep. Reece defended CCC cheese transactions and administration's action in raising price supports for dairy products. House committee reported bill to authorize use of CCC grain for feeding wild birds. Senate passed bill to extend housing program. Senate passed bill to stabilize fishery industry. Senate committee reported general government matters and independent offices appropriation bills. Rep. Hope introduced bill to increase Public Law 480 authorization.

HOUSE

1. COMMODITY CREDIT CORPORATION. The Banking and Currency Committee reported with amendment H. R. 11132, to increase the borrowing authority of CCC (H. Rept. 2211). p. 8000
Rep. Reece defended the actions of CCC in the cheese transactions under investigation by the Government Operations Committee and the actions of the Department in raising the support level for dairy products. p. 7988
The Banking and Currency Committee reported with amendment H. R. 7641, to provide for the use of CCC surplus grains to feed certain wild birds in an effort to prevent waterfowl depredations (H. Rept. 2210). p. 8000
2. APPROPRIATIONS. Conferees on H. R. 11177, the USDA appropriation bill for 1957, received permission to file a conference report by Fri. midnight. p. 7975
3. PRICE SUPPORTS. Rep. Dixon inserted a newspaper editorial explaining the features of modernized parity and discussed the favorable outlook for farmers predicted in USDA "Agricultural Outlook Digest." p. 7991
4. POSTAL SERVICE. A Subcommittee of the Post Office and Civil Service Committee ordered reported to the full committee, amended, S. 1871, to provide for reimbursement to the Post Office Department for registration fees on Government

mail transmission. p. D530

5. PERSONNEL. Received from the HEW Department a proposed bill "...to include, within the provisions of law providing punishment for killing or assaulting Federal officers on official duty, officers and employees of the Department of Health, Education, and Welfare engaged in enforcing the food and drug or public health laws of the United States"; to the Judiciary Committee. p. 8000
6. MONOPOLY. The Judiciary Committee reported without amendment H. R. 1840, to strengthen the Robinson-Patman Act and amend the antitrust law prohibiting price discrimination (H. Rept. 2202). p. 8000
7. FOREIGN AID. Rep. Richards received permission for the Foreign Affairs Committee to file a report on H. R. 11356, the mutual security bill, by Fri. midnight. p. 7988
8. LEGISLATIVE PROGRAM. Rep. Albert announced the following schedule for next week: Mon., D. C. bills, the Legislative appropriation bill, and the conference report on the USDA appropriation bill; Tues., "undetermined"; Wed., adjourned; Thurs., defense production bill and farm credit bill; and the foreign aid bill is to be considered on June 6. p. 7977
9. ADJOURNED until Mon., May 28. pp. 7977, 7999

SENATE

10. HOUSING LOANS. Passed with amendments S. 3855, to extend the housing program (pp. 8015, 8033, 8043, 8059). A greed to an amendment by Sen. Lehman to extend the veterans housing loan program for 1 year beyond July 25, 1957. (p. 8042). For provisions of interest to this Department, see Digest 81.
11. FISHERIES. Passed with amendments S. 3275, to establish a sound and comprehensive national policy with respect to the development, conservation, and use of fisheries resources, and to create and prescribe the functions of a U. S. Fisheries Commission. p. 8082
12. APPROPRIATIONS. The Appropriations Committee reported with amendments the following bills: p. 8003
H. R. 9536, the general government matters appropriation bill for 1957 (S. Rept. 2042); and
H. R. 9739, the independent offices appropriation bill for 1957 (S. Rept. 2041). Made H. R. 10721, the State-Justice appropriation bill, its unfinished business to be considered today. p. 8090
13. ROADS. Majority Leader Johnson announced that H. R. 10660, the road bill, would probably be reported today, and taken up on Mon. p. 8090
14. FARM PROGRAM. Sen. Carlson inserted an analysis made by this Department of the new farm bill. p. 8011
15. LIBRARY SERVICES. The Labor and Public Welfare Committee ordered reported without amendment H. R. 2840, to promote the further development of public library services in rural areas. p. D527
16. MILK. The Labor and Public Welfare Committee ordered reported without amendment S. 1614, to revise the definition and standards for certain dry milk solids. p. D527

May 29, 1956

commodities supplied to foreign nations under Titles II and III of Public Law 480, 83rd Cong. Increases the ceiling on U. S. annual contributions to the Food and Agriculture Organization from \$2 million to \$3 million.

Excerpts from committee report:

Technical cooperation. "In view of the committee's consideration of the technical cooperation program as a vital part of our foreign aid effort, the committee expects the executive branch, in whatever study or reappraisal it may make of the mutual security program, to give special consideration to technical assistance. In this connection, an analysis and study should be made of how the technical cooperation program can be given the special emphasis which it merits, possibly through its separation from the other programs contained in the mutual security program and by placing technical assistance in a new agency or new Government corporation devoted exclusively to this peoples-to-peoples program."

Surplus commodities. "The committee believes that the surplus products of the farms of the United States should be used in every way possible to carry out the mutual security program... The committee has confidence that those responsible for administering the program will continue to regard the figure given only as a floor, and not as a ceiling."

Foreign agricultural production. "The committee gave special consideration during its hearings on the bill to the problem created as a result of the use of United States aid to encourage the production by other nations of agricultural commodities... The committee notes with approval the attention that is being given by the International Cooperation Administration to this matter and recommends that all future technical assistance or other aid be extended in such a manner as to avoid competitive conditions that are damaging either to our own country or to recipient countries."

SENATE

12. ROADS. Passed with amendments H. R. 10660, the road bill. p. 8272
(For prior summaries of provisions of this bill see Digests nos. 66 and 81.)
Agreed to committee amendment which permits the use of funds for forest development roads and trails to be used for construction of sanitary, water, and fire-control facilities. Agreed to amendments by Sen. Barrett to authorize \$33,750,000 for each of the fiscal years 1958-61 for forest highways, and \$27,000,000 annually for each of the fiscal years 1958-61 for forest development roads and trails (p. 8304); and by Sen. Kerr prohibiting apportionment of interstate funds to any State permitting the use of vehicles in excess of certain weights and dimensions (p. 8337). Conferees were appointed (p. 8366).
13. LIVESTOCK. Sen. Neuberger inserted a resolution of the Ore. Grange indorsing an incentive payments plan for the slaughter of heifers. p. 8263
14. FOOD AND DRUG; MEAT INSPECTION. Sen. Mundt inserted the text of a proclamation by the Gov. of Minn. commemorating the 50th anniversary of the Food and Drug and Meat Inspection Acts. p. 8263
15. MILK. The Labor and Public Welfare Committee reported without amendment S. 1614, to fix reasonable definition and standards of identity of certain dry milk solids (S. Rept. 2064). p. 8264

16. RURAL LIBRARIES. The Labor and Public Welfare Committee reported without amendment H. R. 2840, to promote the development of a public library service in rural areas (S. Rept. 2067). p. 8264
17. BUDGET AND ACCOUNTING. Sen. Kennedy announced that the Government Operations Committee would begin hearings June 4 on S. 3897, to improve governmental budget and accounting processes. p. 8266
18. FARM PROGRAM. Sen. Carlson inserted his letter to the Secretary urging that efforts be made to put the soil bank into operation this year. p. 8271
19. APPROPRIATIONS. The Appropriations subcommittee ordered reported with amendments to the full committee H. R. 9720, the Labor - HEW appropriation bill. p. D544
20. INSECTS. Sen. Smathers commended the Appropriations committee for providing additional funds to this Department to combat the invasion of the Mediterranean fruitfly, and urged stricter customs laws on entry of items into this country. p. 8310
21. RECESSED until Thurs., May 31. p. 8368

ITEMS IN APPENDIX

22. FORESTRY. Sen. Welker inserted a speech given by Warren H. Brown at a program where farmers were dedicating portions of their land in order to assure a growth of timber. p. A4274
23. HOG PRICES. Rep. Marshall inserted Alfred Stedman's article, "Dealers Pocket Hog-Slump Cash," and stated it "reveals some interesting facts and figures on what happened to farmers during the hog-price slump." p. A4274
24. FARM PRICES. Sen. Langer inserted a GTA daily radio roundup broadcast telling how they have had "the editors of U. S. News tell about the unrest they found in the farm States" and stating that "when cash registers don't ring, that's a farm depression on Main Street." p. A4277
25. FARM PROGRAM. Sen. Neuberger inserted an article, "New Farm Bill Criticized By Wheatgrowers' Veep," and stated that this news story makes reference to many significant events, from the latest model farm bill to the export market for wheat being cultivated in Japan." p. A4280
26. ELECTRIFICATION. Sen. Goldwater inserted Raymond Moley's article, "Low Blows At High Dam," describing the controversy about the Hells Canyon dam and listing "factual" answers to the main charges. p. A4280
Rep. Widnall inserted an article, "Giveaway To Whom?" and stated that it "fairly and squarely answers some current attacks on the Eisenhower administration". p. A4285
27. AGRICULTURAL PRODUCTION. Rep. Adair inserted Assistant Secretary Butz' recent speech at Purdue University, before the Sixth National Institute of Animal Agriculture, on government programs and agricultural production. p. A4282

DEFINITION OF NONFAT DRY MILK

MAY 29 (legislative day, MAY 24), 1956.—Ordered to be printed

Mr. MURRAY, from the Committee on Labor and Public Welfare,
submitted the following

R E P O R T

[To accompany S. 1614]

The Committee on Labor and Public Welfare, to whom was referred the bill S. 1614, to amend the act entitled "An act to fix a reasonable definition and standard of identity of certain dry milk solids," having considered the same, report favorably thereon without amendment and recommend that the bill do pass.

EXPLANATION

Under the terms of Public Law 244, 78th Congress, 2d session, the Congress wrote into the Food and Drug Act a definition and standard of identity for "nonfat dry milk solids" or "defatted milk solids." This bill would substitute for those terms the phrase "nonfat dry milk."

During World War II the sales of skim milk powder which had been negligible theretofore increased to proportions significant enough to warrant adoption by the Congress of legislation defining and establishing standards of identity for the product. At that time the great bulk of the product was sold to commercial users for use primarily in food mixes and the terms used in that legislation were not only sufficiently well devised as to protect the public health but were also thoroughly understood by and acceptable to the commercial buyers of the product.

Today, however, sales of nonfat dry milk by groceries direct to the ultimate consumer, rather than to a commercial user, have totaled more than 150 million pounds as contrasted with a total of 2.4 million pounds sold by groceries to consumers in 1948 when the product went on retail shelves. Compared with the more than 120 billion pounds of fluid milk sold in the United States, this 150 million pounds of nonfat dry milk is not of major significance currently. Those engaged in its processing and sales contend however, that sales of this product

are unnecessarily impeded by virtue of their having to use the terms written into the Food and Drug Act by the Congress in 1944. Whereas the term "defatted milk solids" has had virtually no use by commercial participants in the trade and the term "nonfat dry milk solids" is understood and accepted by such commercial users, the latter term is regarded as long, cumbersome, unnecessary and unpalatable in terms of its effect on potential noncommercial consumers of this nutritious product.

The Subcommittee on Legislation Affecting the Food and Drug Administration, after a hearing at which testimony was received from all groups and individuals who had expressed an interest in the subject and a desire to be heard, agreed that there was no necessity for any continued use of the term "defatted milk solids" and that the inclusion of both the words "dry" and "solids" in the term "nonfat dry milk solids" was indeed unnecessarily long and redundant. Since the function of our food and drug laws is to protect consumers and assure honest labeling, and not to unnecessarily interfere with the sale of any particular product in our system of free enterprise; since the Department of Health, Education, and Welfare approved of the change; since the Department of Agriculture advised the committee that it had no objection to the measure and did not wish to testify; and since there was no stated objection to the measure by any organization, the subcommittee found that the proposed revised official standards of identity and definition would be both adequate and proper and unanimously recommended passage of the bill. The full committee concurs in this recommendation without dissent and recommends that the bill do pass.

CHANGES IN EXISTING LAW

In compliance with subsection 4 of Rule XXIX of the Standing Rules of the Senate, changes in existing law made by the bill, as reported, are shown as follows (existing law proposed to be omitted is enclosed in black brackets):

[PUBLIC LAW 244—78TH CONGRESS]

AN ACT To fix a reasonable definition and standard of identity of certain dry milk solids

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That for the purposes of the Federal Food, Drug, and Cosmetic Act of June 26, 1938 (ch. 675, sec. 1, 52 Stat. 1040), nonfat dry milk [solids or defatted milk solids] is the product resulting from the removal of fat and water from milk, and contains the lactose, milk proteins, and milk minerals in the same relative proportions as in the Fresh milk from which made. It contains not over 5 per centum by weight of moisture. The fat content is not over 1½ per centum by weight unless otherwise indicated.

The term "milk", when used herein, means sweet milk of cows.

Calendar No. 2086

84TH CONGRESS
2D SESSION

S. 1614

[Report No. 2064]

IN THE SENATE OF THE UNITED STATES

MARCH 30 (legislative day, MARCH 10), 1955

Mr. HUMPHREY introduced the following bill; which was read twice and referred to the Committee on Labor and Public Welfare

MAY 29 (legislative day, MAY 24), 1956

Reported by Mr. MURRAY, without amendment

A BILL

To amend the Act entitled "An Act to fix a reasonable definition and standard of identity of certain dry milk solids", title 21, United States Code, section 321c.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That Public Law Numbered 244, Seventy-eighth Congress
4 second session, approved March 2, 1944, title 21, United
5 States Code, section 321c, entitled "An Act to fix a reason-
6 able definition and standard of identity of certain dry milk
7 solids" is amended to read as follows: "For the purposes of
8 the Federal Food, Drug, and Cosmetic Act of June 26, 1938
9 (ch. 675, sec. 1, 52 Stat. 1040), nonfat dry milk is the
10 product resulting from the removal of fat and water from

1 milk, and contains the lactose, milk proteins, and milk
 2 minerals in the same relative proportions as in the fresh
 3 milk from which made. It contains not over 5 per centum
 4 by weight of moisture. The fat content is not over $1\frac{1}{2}$ per
 5 centum by weight unless otherwise indicated.

6 The term "milk", when used herein, means "sweet milk
 7 of cows".

Calendar No. 2086

84TH CONGRESS
2D SESSION

S. 1614

[Report No. 2064]

A BILL

To amend the Act entitled "An Act to fix a reasonable definition and standard of identity of certain dry milk solids", title 21, United States Code, section 321c.

By Mr. HUMPHREY

MARCH 30 (legislative day, MARCH 10), 1955

Read twice and referred to the Committee on Labor and Public Welfare

MAY 29 (legislative day, MAY 24), 1956

Reported without amendment

June 5, 1956

ations to reimburse CCC for its investment in the grain. p. 8617

14. **FORESTS.** The Agriculture Committee reported without amendment H. R. 8657, to authorize the purchase of certain lands for inclusion in the Superior National Forest (H. Rept. 2261). p. 8628
15. **FOREIGN AID.** The Foreign Affairs Committee reported the minority views on H. R. 11356, the mutual security bill (H. Rept. 2213; part 2). p. 8628
16. **MINING; FORESTRY.** Passed as reported H. R. 7663, to transfer to the Ute Indian Tribe all U. S. subsurface rights, including mineral rights, of land in the Uinta National Forest, for which Indians were not paid by the Government; and to provide for direction of Indian mining operations by this Department. p. 8613
H. R. 6501, to permit the disposal of certain reserve mineral deposits under the U. S. mining laws, was passed over at the request of Rep. Gavin. p. 8616
17. **MILK.** H. R. 5257, to further define nonfat dry milk solids for purposes of the Federal Food, Drug, and Cosmetic Act, was passed over at the request of Rep. Lovre. p. 8614
18. **ECONOMIC REPORT.** Passed without amendment S. 3332, to extend the time for filing the report of the Joint Committee on the Economic Report to Jan. 20 each year, and to change the name of the Committee to the "Joint Economic Committee." p. 8615 This bill is now ready for the President. p. 8615
19. **ATOMIC ENERGY.** Rep. Bailey urged caution in the development of atomic energy for generation of electrical power and opposed the use of Federal funds for the rapid development of this resource. He inserted a statement of Mr. Pickett, National Coal Association, relative to atomic disaster insurance. p. 8625
20. **PROPERTY.** Received from the Attorney General, the report of the Interdepartmental Committee for the Study of Jurisdiction Over Federal Areas Within the States; to the Government Operations Committee. p. 8628
The Interior and Insular Affairs Committee reported with amendment H. R. 10946, to provide for the disposition of surplus personal property to Alaska until Dec. 31, 1958 (H. Rept. 2263). p. 8629
21. **INSPECTION SERVICES.** Both Houses received from the Budget Bureau a proposed bill "to provide a uniform premium pay system for Federal employees engaged in inspectional services, to authorize a uniform system of fees and charges for such services, and for other purposes"; to the Post Office and Civil Service Committees. (pp. 8520, 8628). A copy of the proposed bill (and an analysis thereof) is available in this office for reference purposes.
22. **RECLAMATION.** The Interior and Insular Affairs Committee ordered reported H. R. 7726, to authorize the construction of the Crooked River Federal reclamation project, Oreg. p. D570
23. **WATER POLLUTION.** The "Daily Digest" states that the Rules Committee reported a resolution for the consideration of H. R. 9540, to extend and strengthen the Water Pollution Control Act. p. D572

ITEMS IN APPENDIX

24. PERSONNEL. Sen. Potter inserted an address of Secretary of HEW Folsom before the annual meeting of the President's Committee on Employment of the Physically Handicapped on the importance of employing handicapped persons. p. A4433
Extension of remarks of Rep. Rogers, Tex., congratulating Miss Nettie Sims of this Department on receiving a superior service award. p. A4455
25. FOOD BANK. Sen. Martin inserted an article by Raymond Moley discussing the problems of establishing an international food and raw materials reserve. p. A4437
26. TRANSPORTATION. Sen. Potter inserted his article on the economic importance of the development of the St. Lawrence seaway and the opening of the Great Lakes to world trade. p. A4437
27. FORESTS. Sen. Neuberger inserted a magazine article, "Uncle Sam's Campgrounds", on the recreational facilities offered by our national parks and national forests. p. A4439
Rep. Metcalf inserted the text of his letter to the Secretary of the Interior requesting information regarding the development of a mineral lease by Interior with the International Nickel Co. of Canada, relative to lands in the Superior National Forest, Minn. p. A4473
28. PRICE SUPPORTS. Sen. Johnston, S. C., inserted a newspaper editorial, "Parity: A Much Misunderstood Word That Simply Means a Fair Break", critical of the Administration's farm policies. p. A4440
29. FOREIGN AFFAIRS. Sen. Aiken inserted an address by Bolivian Ambassador discussing trade relations between the U. S. and Latin America. p. A4440
30. FOREIGN AID. Extension of remarks of Rep. Polk stating that H. R. 11356, the foreign aid bill, should be returned to the Foreign Affairs Committee for further study and reconsideration. p. A4456
Rep. Curtis, Mass., inserted a newspaper editorial stating that the Administration "has no real plan of action" for a program of aid to underdeveloped countries. p. A4474
Rep. Smith, Wis., inserted a letter he received criticizing the administration of our foreign aid program. p. A4476
31. COTTON. Rep. Boggs inserted the recent testimony of the cotton industry given before the Agriculture Committee. p. A4458
Rep. Riley inserted several letters and commented on the "threat" to the textile industry and cotton farmers of the increase in imports of cotton textile goods made from cotton grown in other countries. p. A4472
32. ELECTRIFICATION. Rep. Byrd inserted a newspaper editorial describing the dedication of the Kyger Creek electric power plant in Ohio. p. A4479
33. SOIL BANK. Rep. Bonner inserted a newspaper editorial criticizing the alleged lack of preparedness to administer the soil bank act effective in 1956. p. A4480
Rep. Abernethy inserted a newspaper editorial suggesting that northern Miss. would not benefit from the provisions of the soil bank act. p. A4484
34. FLOOD INSURANCE. Rep. Donohue inserted a newspaper editorial supporting a flood insurance plan to homeowners and industries. p. A4483

mental Appropriation Act, 1955 (68 Stat. 830; 31 U. S. C. 200 (b))." and insert in lieu thereof "the unobligated balance shall represent the difference between the obligated balance reported pursuant to section 1311 (b) of the Supplemental Appropriation Act, 1955 (68 Stat. 830; 31 U. S. C. 200 (b)), and the total unexpended balance." Lines 13 to 17, strike "close of the fiscal year in which such appropriation expires for obligation shall, unless otherwise authorized by law, be credited to the appropriation account into which the obligated balance has been or will be transferred, pursuant to subsection (a) (1)" and insert in lieu thereof "transfer of the obligated appropriation balance as required by subsection (a) (1) of this act, shall, unless otherwise authorized by law, be credited to the account into which the obligated balance has been transferred." Line 17, insert "any" immediately following "that" and substitute "collection" for "collections." Line 20, strike "transfers and." Line 21, substitute "subsection (a) (2)" for "subsections (a) and (b)."

Page 9, lines 23 and 24, substitute a period for the comma. Strike "except that such transfers of appropriations" and insert in lieu thereof "The withdrawals."

Page 10, lines 23 to 25, strike "may be transferred to such account from the appropriation currently available for the same general purposes" and insert in lieu thereof "not to exceed the remaining unobligated balances of the appropriations available for the same general purposes, may be restored to such account."

Page 11, line 1, substitute "restorations" for "transfers." Line 2, insert after "required" the words "or authorized." Line 6, substitute "restorations" for "transfers." Line 9, substitute a colon for the period and add the following: "Provided, That prior to any restoration under this subsection the head of the agency concerned shall make such report with respect thereto as the Director of the Bureau of the Budget may require." Lines 10 through 20, strike all of subsection (b). Line 21, renumber subsection "(c)" to "(b)."

Page 12, line 9, substitute "obligated" for "undisbursed." Lines 12 and 13, strike "closed in the manner provided in section 1 (a) of this act" and insert in lieu thereof "transferred to the related appropriation accounts established pursuant to this act and the unobligated balance shall be withdrawn." Line 16, insert after "may" the following: "upon the expiration of the second full fiscal year following the fiscal year or years for which such appropriations are available for obligation."

Page 14, lines 2 and 3, strike "to remain available for expenditure for any period beyond that for which it is available for obligation" and insert in lieu thereof "which is limited for obligation to a definite period of time to remain available for expenditure for more than the 2 succeeding full fiscal years."

Page 14, line 6, strike the period after Columbia and add the following: "or appropriations to be disbursed by the Secretary of the Senate or the Clerk of the House of Representatives."

The amendment to the committee amendment was agreed to.

The committee amendment, as amended, was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AMENDING THE PUBLIC HEALTH SERVICE ACT TO PROVIDE MENTAL HEALTH STUDY GRANTS

The Clerk called the bill (H. R. 9048) to amend the Public Health Service Act

so as to improve the mental health of the Nation through grants for special projects to develop improved methods of care, treatment, and rehabilitation of the mentally ill.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. BYRNES of Wisconsin. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

NATIONAL HEALTH SURVEY ACT

The Clerk called the bill (S. 3076) to provide for a continuing survey and special studies of sickness and disability in the United States, and for periodic reports of the results thereof, and for other purposes.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. BYRNES of Wisconsin. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

SETTLEMENT OF CERTAIN CLAIMS OF UTAH AND WHITE RIVER BANDS OF UTE INDIANS

The Clerk called the bill (H. R. 7663) to provide for settlement in part of certain claims of the Utah and White River Bands of Ute Indians in Court of Claims case No. 47568, through restoration of subsurface rights in certain lands formerly a part of the Utah Indian Reservation.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That after acceptance by the Ute Indian Tribe of the Utah and Ouray Reservation, in Utah, of the provisions of this act and the filing by the Utah and White River Bands of Ute Indians of an amendment to the petition in Court of Claims case No. 47568, as provided in section 5 hereof, all right, title, and interest in and to the subsurface, including mineral and oil and gas resources, of the land described in section 6, shall be restored to tribal ownership and vested in the Ute Indian Tribe of the Utah and Ouray Reservation in Utah. Valid oil and gas leases outstanding on this land as of the effective date of this act shall continue in force and effect according to their terms, but any extension or renewal thereof, except as required by the terms of said leases, shall be subject to the approval of the Ute Indian Tribe of the Utah and Ouray Reservation, and all rentals, royalties, or other payments received by the United States under or on account of such leases after the effective date of this act shall be deposited into the Treasury of the United States to the credit of the Ute Indian Tribe of the Utah and Ouray Reservations, in Utah, pursuant to the provisions of the act of May 17, 1926 (44 Stat. 580), as amended (25 U. S. C., sec. 155), and shall be available for such purposes as may be designated by the Utah and Ouray Tribal Business Committee and approved by the Secretary of the Interior. Upon the lapse, surrender, expiration, or termination of any such lease, the

subsurface rights covered thereby shall be vested in the Ute Indian Tribe of the Utah and Ouray Reservation, in Utah, in accordance with the terms of this act.

SEC. 2. The Ute Indian Tribe of the Utah and Ouray Reservation, in Utah, may prospect, mine, drill, remove, process, or otherwise exploit any or all of the subsurface mineral and oil and gas resources of the land described in section 6 of this act that are not covered by valid leases, locations, or other claims as of the effective date of this act; may sell or otherwise dispose of any or all of the production obtained through the exploitation of such resources by said tribe; and may issue leases or permits for the prospecting, mining, drilling, removal, or processing of such resources. Each such action shall be in accordance with the provisions of law and of the constitution, bylaws, and corporate charter of said tribe, that would be applicable to the taking of like action with respect to mineral resources within the Utah and Ouray Reservation. Any operations conducted pursuant to this section or under a lease or permit issued pursuant to this section shall also be subject to the direction and control of the Secretary of Agriculture to the extent provided in section 3 of this act. The mineral resources of the land described in section 6 shall not be subject to disposition otherwise than as provided in this section, except in pursuance of valid leases, locations, or other claims existing at the time this act becomes effective and thereafter maintained in compliance with the laws under which the same were initiated.

SEC. 3. The term "direction and control of the Secretary of Agriculture" as used herein means such administrative supervision by the Secretary of Agriculture as is reasonably necessary to prevent serious injury to the surface resources of the land described in section 6, or the adjoining lands of the Utah National Forest, but shall not be construed to prohibit the use of the surface, under accepted engineering or mining standards, for prospecting, mining, drilling, and removing subsurface resources, including (but without limitation to) installation and operation of mining, drilling, or pumping equipment and machinery, building and maintaining roadways, and free ingress and egress for prospecting, exploiting, and removing such surface resources to market.

SEC. 4. The benefits herein granted to the Ute Indian Tribe of the Utah and Ouray Reservation, in Utah, shall be in partial settlement of the claims of the Utah and White River Bands of the Ute Indians pending before the Court of Claims in docket numbered 47568, and upon acceptance, as provided in section 5, shall have the effect of releasing the United States from any claimed liability for the payment of such damages as might be based upon the subsurface resources or value thereof attributable to the lands which are the subject matter of that said action. Any jurisdiction of the Court of Claims to make an award of damages including or based upon subsurface values in docket No. 47568 shall be withdrawn upon this act's taking effect as provided in section 5, and jurisdiction of the Court of Claims in docket No. 47568 shall thereafter be continued only as to a claim for just compensation based upon the value of the surface rights of the lands which are the subject of that action: *Provided*, That the standard of liability and measure of damages in such action shall in all other respects be determined by the provisions of the Ute Jurisdictional Act of June 28, 1938 (52 Stat. 1209), as amended by the acts of July 15, 1941 (55 Stat. 593), June 22, 1943 (57 Stat. 160), June 11, 1946 (60 Stat. 255), and sections 1, 2, 11, and 25 of the act of August 13, 1946 (60 Stat. 1049), except that any money heretofore received by the United States, for or on account of the patenting or other disposition, without reservation of mineral rights, of any of the land cov-

ered by the claim, and paid over to or expended for the benefit of the Uintah and White River Bands shall be deemed to be in lieu of compensation for the subsurface values thus disposed of and shall not be allowed as a payment on the claim or an offset against any recovery which may be awarded as compensation for the surface rights.

Sec. 5. This act shall not become effective unless and until (1) the Ute Indian Tribe of the Uintah and Ouray Reservation, in Utah, accepts its provisions, in such manner as may be designated by the Secretary of the Interior, within 1 year after the approval hereof; (2) the Uintah and White River Bands present to the Secretary of the Interior a release, satisfactory to him, of any claims they might have because the Uncompahgre Utes are permitted to share in the benefits of this act; and (3) an amendment to the petition in docket No. 47568 is filed with the Court of Claims limiting the prayer for relief as to the claim presently stated therein to just compensation based upon the value of surface rights only, in accordance with section 4 hereof. Such amendment when filed shall relate back to the date of filing of the original petition in docket No. 47568.

Sec. 6. The land covered by this act is that portion of the one million and ten thousand acres of the former Uintah Reservation added to the Uintah National Forest by Executive order dated July 14, 1905 (34 Stat. 3116), which was not included for payment in the act of February 13, 1931 (46 Stat. 1092), having been separately classified therein as coal lands and described as comprising thirty-six thousand two hundred and thirty-three acres; excluding, however, such portions thereof as having been patented or otherwise disposed of into private ownership without reservation of mineral rights as of the effective date of this act; the said area being more particularly described as follows:

Township 1 south, range 8 west, Uintah meridian, Utah: North half, and the north half of the south half of section 16; section 17; lots 2, 3, and 4, and the southeast quarter of the northwest quarter, and the east half of the southwest quarter, and the northeast quarter of the northeast quarter, and the south half of the northeast quarter, and the southeast quarter of section 18; lot 1, and the northeast quarter of the northwest quarter, and the north half of the northeast quarter of section 19.

Township 1 south, range 9 west, Uintah meridian, Utah: Southeast quarter of the northeast quarter and the half of section 13; south half of the south half of section 14; south half of the south half of section 15; the northwest quarter of the southwest quarter, and the south half of the south half of section 16; southwest quarter of the northeast quarter, and the south half of the northwest quarter, and the south half of section 17; section 18; lots 1, 3, and 4, and the northeast quarter of the northwest quarter, and the east half of the southwest quarter, and the north half of the northeast quarter, and the southeast quarter of section 19; section 20; section 21; section 22; section 23; north half and the southwest quarter, and the northwest quarter of the southeast quarter of section 24; the northwest quarter of the northwest quarter of section 25; the north half of section 26; north half of section 27; the north half of section 28; the north half and the east half of the southwest quarter and the north half of the southeast quarter of section 29; lots 1, 2, and 3, and the east half of the northwest quarter, and the northeast quarter of section 30.

Township 1 south, range 10 west, Uintah meridian, Utah: The south half of the south half of section 10; the south half of the south half of section 11; the south half of the south half of section 12; section 13; section 14; section 15; section 16; the northeast quarter and south half of the northwest quarter, and the south half of section 17; the southeast quar-

ter of the northeast quarter, and the southeast quarter of the southwest quarter, and the southeast quarter of section 18; section 19; section 20; section 21; section 22; section 23; section 24; the north half and the north half of the south half of section 25; section 26; section 27; section 28; section 29; the east half and lots 1, 2, 3, and 4, and the east half of the west half of section 30; lots 1, 2, 3, and 4, and the east half of the west half and the east half of section 31; section 32; the north half and the north half of the southwest quarter of section 33; and the northeast quarter of the northeast quarter, and the west half of the northeast quarter, and the northwest quarter of section 34; the north half of the north half of section 35.

Township 1 south, range 11 west, Uintah meridian, Utah: Lots 1, 2, 3, and 4, and the east half of the west half, and the southeast quarter of section 18; section 19; the northwest quarter of the northwest quarter and the south half of the northwest quarter and the southwest quarter and the west half of the southeast quarter of section 20; the east half and the east half of the northwest quarter and the northeast quarter of the southwest quarter of section 25; the west half of the southwest quarter and the southeast quarter of the southwest quarter and the southwest quarter of the southeast quarter, of section 28; section 29; section 30; the northeast quarter, and lots 1, 2, 3, and 4, and the east half of the west half, and the southeast quarter of section 31; section 32; section 33; section 34; the west half of section 35; the northeast quarter and the east half of the southeast quarter of section 36.

Township 1 south, range 12 west, Uintah meridian, Utah: Lots 1, 2, 3, and 4, and the south half of the south half of section 12; section 13; section 24; the northeast quarter, and the northwest quarter of the southeast quarter of section 25.

Township 2 south, range 10 west, Uintah meridian, Utah: Section 4, section 5; section 6; section 7; section 8; section 9.

Township 2 south, range 11 west, Uintah meridian, Utah: Lots 3 and 4 of section 2; lots 1, 2, 3, and 4, and the south half of the north half and the south half of section 3; lots 1, 2, 3, and 4, and the south half of the north half and the south half of section 4.

SEC. 7. This act is for the purpose of effecting partial settlement of the claims asserted by the Uintah and White River Bands of Ute Indians against the United States in Court of Claims case No. 47568 and shall not be construed as giving recognition to any rights or title of the Uintah, White River, or Uncompahgre Bands of Ute Indians except as provided for in this act.

With the following committee amendments:

Page 1, strike all of line 9 and insert the words "mineral and oil and gas resources of."

Page 2, line 2, following the words "in the" insert the words "United States in trust for the."

Page 2, strike all of lines 3 to 9 inclusive and insert in lieu thereof "and Ouray Reservation in Utah, subject to valid leases, locations, or other claims that are outstanding as of the effective date of this act and that are thereafter maintained in compliance with the laws under which they were initiated, and all rentals, royalties, or other payments."

Page 2, strike all of lines 16 to 22 inclusive and insert in lieu thereof "shall be subject to division between the fullblood and the mixed-blood groups, and shall be available for advance or expenditure, in accordance with the provisions of sections 10 and 11 of the act of August 27, 1954 (68 Stat. 868)."

Page 2, line 24, following the word "Utah," insert the words "acting by the tribal business committee representing the fullblood group, and the authorized representatives of the mixed-blood group (in accordance with

section 10 of the act of August 27, 1954, 68 Stat. 868)."

Page 2, line 25, strike the word "subsurface."

Page 4, strike all of lines 4 to 9 inclusive and insert in lieu "or mining standards, for installation of mining equipment or machinery, building and maintaining roadways, free ingress and egress for mining and removal of subsurface resources to market, and the mining and removal of subsurface resources, including the sinking of shafts, driving tunnels or other standard mining methods, except that strip or hydraulic mining shall be permitted only if, and under conditions, approved by the Secretary of Agriculture."

Page 4, line 17, strike the word "subsurface" and insert the words "mineral and oil and gas."

Page 4, line 21, strike the word "subsurface" and insert the words "mineral and oil and gas."

Page 6, line 8, add the following sentence: "Upon the approval of this act, and pending acceptance or rejection of its provisions by the Indians as provided herein, the land described in section 6 shall be withdrawn from lease, location, entry or any form of disposition under the public land laws except disposition pursuant to valid leases, locations, or other claims that are outstanding as of the date of approval of this act and that are thereafter maintained in compliance with the laws under which they were initiated."

Page 6, line 16, strike the words "thirty-three" and insert "twenty-three."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

DEFINITION OF "NONFAT DRY MILK"

The Clerk called the bill (H. R. 5257) to amend the act entitled "An act to fix a reasonable definition and standard of identity of certain dry milk solids" (21 U. S. C., sec. 321c).

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. LOVRE. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from South Dakota?

There was no objection.

NEW YORK-NEW JERSEY AIR POLLUTION STUDY COMPACT

The Clerk called the resolution (H. J. Res. 511) granting the consent of Congress to the States of New York, New Jersey, and Connecticut to confer certain additional powers upon the Interstate Sanitation Commission, established by said States pursuant to Public Resolution 62, 74th Congress, August 27, 1935.

There being no objection, the Clerk read the resolution, as follows:

Resolved, etc., That the consent of Congress is hereby given to the States of New York, New Jersey, and Connecticut to confer upon the Interstate Sanitation Commission, established by said States pursuant to authority given by Public Resolution 62, 74th Congress, August 27, 1935, the power to make studies of smoke and air pollutions within any or all of the territory served by said Commission, such studies to include surveys

June 7, 1956

11. NOMINATION. Received the nomination of David A. Hamil to be the Administrator of REA. p. 8808, 8781
12. LANDS. Received from the Interior Department a letter stating that an adequate soil survey and land classification has been made of the lands in the Ventura River project, Calif., and that the lands to be irrigated are susceptible to the production of agricultural crops by means of irrigation; to Interior and Insular Affairs Committee. p. 8756
Passed with amendments H. R. 6376, to provide for the hospitalization and care of the mentally ill in Alaska, including a grant of not to exceed 1 million acres of public lands to assist in carrying out the program (includes lands eliminated from national forests). Adopted an amendment by Sen. Langer that mineral deposits in certain of these lands shall be reserved to the U. S. p. 8767
13. FOOD AND DRUG. Received a proposed bill from the Department of HEW to simplify the procedures governing the prescribing of regulations under certain provisions of the Food and Drug Act; to Labor and Public Welfare Committee. p. 8756
14. LEGISLATIVE PROGRAM. Sen. Johnson said the calendar will be called on Mon., and that debate will begin on the social security bill on Mon. or Tues. p. 8766
15. FOREIGN AFFAIRS. Sen. Mansfield discussed the background and problems of our foregin relations with Africa. p. 8775
Sen. Smathers discussed the importance of strengthening our economic and political ties with the Latin American countries. p. 8778
16. MILK. Passed without amendment S. 1614, to fix a reasonable definition and standard of identity of certain dry milk solids. p. 8778
17. ADJOURNED until Mon., June 11. p. 8808

ITEMS IN APPENDIX

18. FOREIGN TRADE. Rep. Rogers inserted a radio address by F. Lewis criticizing the operation of the GATT program, as being detrimental to the American textile industry. p. A4555
19. SOIL CONSERVATION. Rep. Rogers, Tex., inserted a speech by a 4-H Club boy on the benefits of soil conservation practices in America. p. A4576

BILLS INTRODUCED

20. COTTON. H. R. 11675, by Rep. Thompson, to provide for the donation of certain cotton and cotton materials to States for use by needy persons; to Agriculture Committee.
21. PERSONNEL. H. R. 11662, by Rep. MacDonald, to amend section 6 of the act of August 24, 1912, as amended, with respect to the recognition of organizations of postal and Federal employees; to Post Office and Civil Service Committee.
S. 4014, by Sen. Carlson, to advance the scientific and professional research and development programs of the Departments of Defense, the Interior, and Commerce, to improve the management and administration of certain departmental activities; to Post Office and Civil Service Committee.

22. LANDS. S. 4013, by Sen. Humphrey (for himself, Sen. Neuberger, Sen. Smith, Sen. Morse, Sen. Lehman, Sen. Duff, Sen. Douglas, Sen. Kuchel, Sen. Mundt and Sen. Laird), to establish on public lands of the United States a national wilderness preservation system for the permanent good of the whole people, to provide for the protection and administration of the areas within this system by existing Federal agencies and for the gathering and dissemination of information to increase the knowledge and appreciation of wilderness for its appropriate use and enjoyment by the people, to establish a National Wilderness Preservation Council, to Interior and Insular Affairs Committee. Remarks of Sen. Humphrey, p. 8781

PRINTED HEARINGS RECEIVED IN THIS OFFICE

23. WATER RESOURCES. Commission on Organization of the Executive Branch of the Government (Water Resources and Power Report) Part IV - Nashville, Tenn. House Government Operations Committee.

-0-

COMMITTEE HEARING ANNOUNCEMENTS:

- June 7: Increase in Public Law 480 authorization, H. Agriculture (Garnett, Whipple, Ioanes, FAS) (exec).
- June 8: Various bills, H. Agriculture (exec).
Omnibus transportation bill, H. Commerce.
- June 14: Requirement for detailed annual report of Forest Service (Crafts, FS, to testify).

oOo

tlers. In Kenya and in South Africa, however, Europeans and descendants of Europeans are settled in great numbers.

If the European nations face a formidable task in adjusting to the transition, so, too, do the leaders of African nationalism. To them falls much of the responsibility for shaping the changes which are bound to occur in Africa. They, too, face tremendous pressures. In some cases, their responsibility involves literally moving whole populations from the Stone Age into the 20th century with great rapidity.

Modern African leaders are themselves awake to the meaning of national and human equality and modern progress. Their own enlightenment, however, can have lasting significance only if it is shared with their own peoples. They will need great compassion and patience for that. They will also need wisdom if they are to choose with discrimination from among the welter of ideas and ideologies which bear down on Africa from all sides, those which will benefit their peoples. As the Soviet drive into the continent gains momentum, the pressures on these leaders will increase and the confusion of alternatives will be further compounded.

I believe it will be well to recognize that while the ideological choices which are made will be those of the African leaders and their peoples, the policies of the free nations will profoundly influence them. To the extent that these policies reflect a firm devotion to the concepts of freemen—to the concepts of national and human equality, to the extent that they reflect a willingness to assist in the progress of the African people—they can make a great contribution to the growth of human freedom. By the same token, irreparable harm can be done if these policies are short-sighted, fearful, and repressive.

It seems to me that a foreign policy which serves the total interests of this country, must welcome the present transition in Africa and the inevitability of change which it brings. We have already had an expression of congressional sentiment to that effect with regard to all dependent people throughout the world. In the 84th Congress, a resolution was adopted unanimously by both Houses calling for the administering of foreign policies and the exercising of our influence in support of other peoples "in their efforts to achieve self-government or independence," House Concurrent Resolution 149, 84th Congress, 1st session.

I can conceive of no long-range interest worthy of this country which would be at variance with this fundamental expression. How could it be otherwise? Can we reject the desire for national equality on the part of any people? Similarly, can we frown upon their desire for human equality? Or can we deprecate their efforts to improve their social and economic existence? To those who can answer these questions in the affirmative, I respectfully suggest a rereading of the Declaration of Independence and the Constitution of the United States.

National and human equality, and progress—these are the basic concepts of this Nation. In signing the Charter of the United Nations we gave endorsement to these same goals as legitimate for all people. That endorsement must remain the guiding principle, the anchor of our policies with respect to Africa. It imposes on us—indeed it imposes on all nations which have signed the charter—an obligation with respect to Africa which, in the light of our own history, if for no other reason, we ought willingly to sustain. It is an obligation to strive in our policies with respect to that continent to contribute to, rather than detract from, the achievement of these goals by the African peoples themselves.

At the same time, we ought to have clearly in mind our limitations in this connection. The achievement of rights is primarily the responsibility of peoples directly involved, both African and European. We can assist but we cannot impose.

I fully realize the difficulties of interpreting the principles of the charter, as they apply to Africa, in the countless decisions which must be made by the executive branch of the Government. It seems to me, however, that we have compounded these difficulties by our own neglect, by clinging to what seems to me to be an outmoded approach to that continent.

I would suggest, therefore, that the first step toward a more effective policy on Africa involves an increase in the flow of direct information on that continent into the formulation of policy. Would such a flow not be facilitated if the African Branch of the Department of State were separated from Near Eastern and south Asian affairs and constituted as a bureau under an Assistant Secretary of State for African Affairs? And would Senate not be better equipped to advise with the President on African matters if more Members found occasion to include Africa in their travels abroad?

Even with the limited and inadequate knowledge we now possess, it is possible to see the beginnings of a sound policy for Africa.

As I have already noted, the growing aspirations of the African people for national and human equality must have the consistent sympathy of this country. This sympathy must be reflected more clearly than is presently the case in the general course which we pursue in the United Nations and elsewhere. I hope that few occasions will arise in which we will be at variance with the western Europeans on this matter. When they do, however, our position ought to be forthright. If we disagree with them, let us disagree honestly. And if overriding circumstances compel us to accept temporary compromises, let us be equally prepared to acknowledge them frankly. Accommodation has a place in the foreign policy of this Nation, no less than in that of others, but hypocrisy does not.

I believe this country should also be prepared to enlarge the technical assistance program in Africa if it is clear that such assistance can be effective and that

it is sought by the indigenous peoples. If other practicable ways can be developed which will hasten the economic and social progress of the African peoples, we should be prepared to give them sympathetic consideration. Again, the test of any such measures must be their contribution to the development of national and human equality in Africa and to the well-being of the African people.

I noted earlier in these remarks that we were at the beginnings of policy on Africa. Because we are, we have an unusual opportunity to set a firm foundation for our future relations with that continent. If we do so, we shall serve the interests of this country far beyond the present generation.

The key to an effective policy on Africa, I believe, will be found in the perception with which we treat the developing transition on that continent. If we understand and appreciate its vast implications and assist in the adjustments it requires, we will facilitate the emergence of a new Africa. It will be an Africa which will do willingly what it cannot be coerced into doing. It will be an Africa which will pour its original and as yet incalculable contributions into the general progress of freemen and into the maintenance of world peace.

Mr. GOLDWATER. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield.

Mr. GOLDWATER. I wish to compliment the distinguished Senator from Montana for his extremely intelligent and interesting remarks concerning the continent of Africa. During the war it was my duty to serve in various parts of Africa. Although I did not see all of Africa, I did have occasion to see a good portion of it, and I saw the things of which the Senator from Montana speaks today. I therefore wish to compliment him on his foresight in calling these problems to the attention of the American people.

Mr. MANSFIELD. I express my thanks to the acting majority leader, the Senator from Arizona, for his comments. I also express the hope that in his capacity as a member of the Subcommittee on Technical Assistance Programs, he may bring his great knowledge and interest and sympathy to bear on the problems, so that we in this country may develop a better understanding of the great continent of Africa, which is becoming more important as time goes on.

Mr. GOLDWATER. I may say to the distinguished Senator from Montana that it was my pleasure to visit Egypt last fall. While I recognize the fact that Egypt is only a small part of the continent of Africa, nevertheless, my visit to Egypt is some indication of the interest in which I hold that country, which has some similarity to my own State of Arizona.

Mr. MANSFIELD. One of the reasons why I raised the point I have stressed was that I knew the Senator had done such a fine job when he visited north Africa. Therefore I should like to see him develop an interest, if he could find the time to do so—and I know he is a

very busy man—and undertake a study of the situation in other parts of the African Continent.

Again I wish to express my deep thanks to the acting majority leader, the Senator from Arizona, for his kind remarks.

I suggest the absence of a quorum.

Mr. PAYNE. Mr. President, will the Senator withhold his suggestion of the absence of a quorum and yield briefly to me?

Mr. MANSFIELD. I yield.

Mr. PAYNE. I wish to join my colleague, the Senator from Arizona, in commending the Senator from Montana for another one of his excellent speeches on foreign policy. I have had the pleasure on many occasions to listen to his remarks on the subject. Although I was not present during the earlier part of his address today, I did have the pleasure of looking over an advance copy of it, and I wish to say that the Senator's utterances today have been most constructive, and deserving of the attention of the entire membership of the Senate.

Mr. MANSFIELD. I express my thanks to the distinguished Senator from Maine for his comments, and my appreciation for the interest he has shown in the field of foreign policy over the past several years.

Mr. GOLDWATER. Mr. President, will the Senator from Montana yield?

Mr. MANSFIELD. I shall be delighted to yield.

Mr. GOLDWATER. During the course of the remarks of the distinguished Senator from Montana he inadvertently referred to me as the acting majority leader. He was a little premature in that reference, but come next November we shall do all we can to bring that situation into being.

Mr. MANSFIELD. I shall see that the RECORD is corrected on that point, but may I say to the Senator that we expect to increase our majorities in both the House and the Senate. I am glad to pass that information on to the Senator from Arizona.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

DEFINITION OF NONFAT DRY MILK

Mr. JOHNSON of Texas. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 2086, Senate bill 1614.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The CHIEF CLERK. A bill (S. 1614) to amend the act entitled "An act to fix a reasonable definition and standard of identity of certain dry milk solids," title 21, United States Code, section 321c.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Texas.

The motion was agreed to; and the Senate proceeded to consider the bill.

The PRESIDING OFFICER. The bill is open to amendment.

If there is no amendment to be proposed, the question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading, read the third time and passed, as follows:

Be it enacted, etc., That Public Law No. 244, 78th Congress, 2d session, approved March 2, 1944, title 21, United States Code, section 321c, entitled "An act to fix a reasonable definition and standard of identity of certain dry milk solids" is amended to read as follows: "For the purposes of the Federal Food, Drug, and Cosmetic Act of June 26, 1938 (ch. 675, sec. 1, 52 Stat. 1040), nonfat dry milk is the product resulting from the removal of fat and water from milk, and contains the lactose, milk proteins, and milk minerals in the same relative proportions as in the fresh milk from which made. It contains not over 5 percent by weight of moisture. The fat content is not over 1½ percent by weight unless otherwise indicated. The term "milk," when used herein, means "sweet milk of cows."

JURISDICTION OF FEDERAL COURTS IN CERTAIN REEMPLOYMENT CASES

Mr. JOHNSON of Texas. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 2110, Senate bill 3307.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The CHIEF CLERK. A bill (S. 3307) to amend section 9 (d) of the Universal Military Training and Service Act to authorize jurisdiction in Federal courts in certain reemployment cases.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Texas.

The motion was agreed to; and the Senate proceeded to consider the bill which had been reported from the Committee on Armed Services with an amendment.

AMERICA'S LATIN AMERICAN NEIGHBORS

Mr. SMATHERS. Mr. President, on repeated occasions I have stressed the importance of further strengthening friendly ties with our Latin American neighbors if we are to continue to enjoy their good will, which is so vitally essential to our own economic welfare and security.

Today Latin American progress is seriously endangered by such chronic weaknesses as lack of a diversified economy, low per capita incomes, low literacy rates, poor health and sanitation conditions, lack of elementary educational facilities, low rates of savings, and lack of capital. All of these factors create the condition of economic instability in which this area finds itself today.

This situation should be a salutary reminder that our eyes must now be

turned south on more frequent occasions than they have been in the past.

It has always been a puzzle to me that this region, which is of supreme importance to the United States from the standpoint of trade, raw materials, and cultural relationships, attracts so much less interest than do other parts of the world. This factor alone has particular significance when we know that we are in fact equally important to each other's survival.

Let us briefly examine the treatment accorded our Latin American neighbors in our foreign-aid program—neighbors, mind you, Mr. President, who seek no handouts, but only financial assistance which they can and will repay.

The total United States nonmilitary grants and credits in the postwar decade amounted to around \$37.4 billion. Of that sum, the American Republics received about \$1 billion, or only 2.8 percent. When grant aid alone is considered, the American Republics fared even worse, receiving \$317 million of a total of about \$26.5 billion, or only 1.2 percent. This year, as in the past, the administration request for Latin America amounts to an infinitesimal portion of the total economic aid program. In this year's \$4.9 billion mutual security authorization program, Latin America's share is \$96.4 million, of which \$35½ million is for military assistance, \$33.9 million for technical assistance, and \$27 million for emergency development assistance. These figures represent 1.1 percent of the total foreign aid authorization for the fiscal year 1957.

This small percentage of the total can hardly be said to be a realistic program for further improving and strengthening Latin American ties, when we think of \$851 million recommended for Europe, \$884 million for the Near East and Africa, \$2.3 billion for Asia, and \$781 million for nonregional programs. If nothing is done to correct this situation, I am sure our Latin American friends will be justified in concluding that once again they are relegated to the position of last in line at the teller's window. We cannot continue this policy of neglect toward our friends to the south without disastrous consequences.

I have been following with growing concern the trend of events in Latin America. The report to the President by Dr. Milton Eisenhower in 1953, and the report of the International Development Advisory Board under Eric Johnston the following year both emphasized the importance to the United States of a stable, productive, friendly Latin America. According to the Johnston report, Latin America "is our indispensable and irreplaceable ally. It could be lost to communism. It needs our help now to build the higher standards of living which are the surest safeguards against Communist penetration and subversion."

Yet, in spite of the Johnston and Eisenhower reports, and in spite of the very real Communist dangers in Guatemala and certain other Latin American countries, Secretary Dulles as late as February 24 of this year, said, with regard to the new Soviet nonviolence pol-

Digest of CONGRESSIONAL PROCEEDINGS

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

OFFICE OF BUDGET AND FINANCE
(For Department Staff Only)

Issued
For actions of

June 19, 1956
June 18, 1956
84th-2nd, No. 100

CONTENTS

Appropriations.....	4,16,22,46	Guam.....	8	Poultry inspection....	17,32
Buildings.....	12	Housing.....	2,42	Power.....	4
CCC.....	44	Labor, farm.....	2	REA.....	29
Contracts.....	12	Lands exchange.....	22	Reclamation.....	4,23
Cotton.....	24	Laws.....	36	Records.....	9
Daylight time.....	13	Legislative program....	22	Recreation.....	31
Defense production....	22,45	Livestock.....	5	Research.....	24,27
Depressed areas.....	37,47	Loans, farm.....	2,3,42	Security.....	26
Education.....	41	Military construction...	39	Surplus commodities...1,	39
Extension service.....	27	Military service.....	43	Surplus property.....	18
Farm produce.....	33	Milk.....	6	Taxation.....	5,33
Fisheries.....	7,34	Mineral rights.....	21	Textiles.....	20,28
Flood control.....	4	Mining.....	10	Transportation.....	33
Foreign aid.....	14,25,40	Organization.....	31	Treaties.....	38
Foreign trade.....	1	Personnel.....	19,26	TVA.....	4
Forestry.....	11,15,30,35				

HIGHLIGHTS: House agreed to conference report on bill adjusting certain taxes on livestock. Ready for President. House Rules Committee cleared farm loan bill. House passed bill further defining dry milk solids. House passed bill extending Federal Seed Act to Guam. House committee reported bill to increase Public Law 480 authorization. ~~House committee reported on June 15, revised housing bill.~~ Senate committee ordered reported mutual security bill. Senate passed bill for purchase of (continued on page 6)

HOUSE

1. SURPLUS COMMODITIES. The Agriculture Committee reported without amendment H. R. 11708, to amend the Agricultural Trade Development and Assistance Act of 1954, as amended, so as to increase from \$1,500,000,000 to \$3,000,000,000 the amount for purposes of title I of the Act, to authorize assistance to American-sponsored schools abroad, and to amend the provision against agreements with communist-dominated countries (H. Rept. 2380). p. 9493
2. HOUSING; FARM LOANS. On June 15, during recess, the Banking and Currency Committee reported without amendment H. R. 11742, the housing bill (H. Rept. 2363). The bill includes provisions to continue for 5 years the farm housing authorization under title V of the Housing Act of 1949 and to direct PHA to transfer farm-labor camps without monetary consideration to any public housing authority whose area of operation includes such project. The committee report criticizes this Department for not effectuating the farm-housing authorization in the Housing Act. p. 9492
3. FARM LOANS. The Rules Committee reported a resolution for the consideration of H. R. 11544, to improve and simplify the credit facilities available to farmers and to amend the Bankhead-Jones Farm Tenant Act. pp. 9457, 9492

4. APPROPRIATIONS. Conferees were appointed on H. R. 11319, the public works appropriation bill for 1957. The bill includes funds for Tennessee Valley Authority, Southeastern Power Administration, Southwestern Power Administration, Bonneville Power Administration, Bureau of Reclamation, and Army flood control. p. 9453 Senate conferees were appointed on June 13.
 5. TAXATION. Agreed to the conference report on H. R. 6143, to treat, for tax purposes, as an involuntary conversion the sale of livestock because of drought. p. 9453 This bill is now ready for the President.
 6. MILK. Passed under suspension of the rules, S. 1614, to define non-fat dry milk under the Federal Food, Drug, and Cosmetic Act; and H. R. 5257, a similar bill, was laid on the table. pp. 9472, 9457
 7. FISHERIES. The Fisheries and Wildlife Conservation Subcommittee of the Merchant Marine and Fisheries Committee ordered reported, on June 15, to the full committee H. R. 11570, to establish a sound and comprehensive national policy with respect to fisheries and wildlife and to create within the Interior Department, the office of Undersecretary of Fish and Wildlife. p. D640
 8. GUAM. Passed without amendment H. R. 11522, to provide for the extension of certain provisions of Federal laws, including the Federal Seed Act, the Vocational Rehabilitation Act, and wildlife restoration authorities, to Guam. p. 9459
 9. RECORDS. At the request of Rep. Ford, passed over without prejudice S. 2364, to clarify GSA authority over records management. p. 9457
 10. MINING. Passed as reported H. R. 6501, to permit the disposal of certain reserve mineral deposits under the U. S. mining laws. p. 9457
 11. FORESTRY. Passed without amendment H. R. 9974, to authorize the cutting of timber, the manufacture and sale of lumber, and the preservation of the forests on the Menominee Indian Reservation in Wis. p. 9466
 12. CONTRACTS; BUILDINGS. The Judiciary Committee, on June 15, reported with amendment S. 1644, to prescribe policy, improve existing procedure and practices in connection with the letting of lump-sum, Federal construction contracts, and place the awarding of such contracts on a more efficient basis (H. Rept. 2362). p. 9492
 13. DAYLIGHT-SAVING TIME. The Judiciary Subcommittee of the D. C. Committee ordered reported to the full committee S. 3295, authorizing the extension of daylight-saving time in D. C. to the last Sunday in October. p. D639
- SENATE
14. FOREIGN AID. The Foreign Relations Committee ordered reported with amendments H. R. 11356, the mutual security program for 1957. p. D635
Sen. Jackson and others questioned some of the provisions of the mutual security program. p. 9437
 15. FORESTRY. Passed as reported S. 3132, to provide for the purchase of lands within the Cache National Forest, Utah. Agreed to a committee amendment providing that funds appropriated shall be matched by donations of lands or funds by local agencies, organizations, or persons. p. 9417

amounts received by any political committee from any corporation, labor union, individual, individuals, or group of individuals, committee, or partnership.

(5) The violations, if any, of the following statutes of the United States:

(a) The Federal Corrupt Practices Act.
(b) The act of August 2, 1939, as amended, relating to pernicious political activities, commonly referred to as the Hatch Act.

(c) The provisions of section 304, Public Law 101, 80th Congress, chapter 120, first session, referred to as the Labor Management Relations Act, 1947.

(d) Any statute or legislative act of the United States or of the State within which a candidate is seeking nomination or reelection to the House of Representatives, the violation of which Federal or State statute, or statutes, would affect the qualification of a Member of the House of Representatives within the meaning of article I, section 5, of the Constitution of the United States.

(6) Such other matters relating to the election of Members of the House of Representatives in 1956, and the campaigns of candidates in connection therewith, as the committee deems to be of public interest, and which in its opinion will aid the House of Representatives in enacting remedial legislation, or in deciding contests that may be instituted involving the right to a seat in the House of Representatives.

(7) The committee is authorized to act upon its own motion and upon such information as in its judgment may be reasonable or reliable. Upon complaint being made to the committee under oath, by any person, candidate, or political committee, setting forth allegations as to facts which, under this resolution, it would be the duty of said committee to investigate, the committee shall investigate such charges as fully as though it were acting upon its own motion, unless, after a hearing upon such complaint, the committee shall find that the allegations in such complaint are immaterial or untrue. All hearings before the committee, and before any duly authorized subcommittee thereof, shall be public, and all orders and decisions of the committee, and of any such subcommittee shall be public.

For the purpose of this resolution, the committee, or any duly authorized subcommittee thereof, is authorized to hold such public hearings, to sit and act at such times and places during the sessions, recesses, and adjourned periods of the 84th Congress, to employ such attorneys, experts, clerical, and other assistants, to require by subpoena or otherwise the attendance of such witnesses and the production of such correspondence, books, papers, and documents, to administer such oaths, and to take such testimony as it deems advisable. Subpenas may be issued under the signature of the chairman of the committee or any subcommittee, or by any member designated by such chairman and may be served by any person designated by any such chairman or member.

(8) The committee is authorized and directed to report promptly any and all violations of any Federal or State statutes in connection with the matters and things mentioned herein to the Attorney General of the United States in order that he may take such official action as may be proper.

(9) Every person who, having been summoned as a witness by authority of said committee or any subcommittee thereof, willfully makes default, or who having appeared, refuses to answer any question pertinent to the investigation heretofore authorized, shall be held to the penalties prescribed by law.

That said committee is authorized and directed to file interim reports, whenever in the judgment of the majority of the committee, or of a subcommittee conducting por-

tions of said investigation, the public interest will be best served by the filing of said interim reports, and in no event shall the final report of said committee be filed later than January 3, 1957, as hereinabove provided.

TO AMEND BANKHEAD-JONES FARM TENANT ACT

Mr. SMITH of Virginia, from the Committee on Rules, reported the following privileged resolution (H. Res. 542, Rept. No. 2365), which was referred to the House Calendar and ordered to be printed:

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H. R. 11544) to improve and simplify the credit facilities available to farmers, to amend the Bankhead-Jones Farm Tenant Act, and for other purposes. After general debate, which shall be confined to the bill, and shall continue not to exceed 1 hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Agriculture, the bill shall be read for amendment under the 5-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

CONSENT CALENDAR

The SPEAKER. This is Consent Calendar day. The Clerk will call the first bill on the Consent Calendar.

AMENDING FEDERAL PROPERTY AND ADMINISTRATIVE SERVICES ACT OF 1949, AS AMENDED

The Clerk called the bill (S. 2364) to amend the Federal Property and Administrative Services Act of 1949, as amended, and for other purposes.

Mr. FORD. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

AMENDING PUBLIC HEALTH SERVICE ACT TO PROVIDE MENTAL HEALTH STUDY GRANTS

The Clerk called the bill (H. R. 9048) to amend the Public Health Service Act so as to improve the mental health of the Nation through grants for special projects to develop improved methods of care, treatment, and rehabilitation of the mentally ill.

Mr. BYRNES of Wisconsin. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

NATIONAL HEALTH SURVEY ACT

The Clerk called the bill (S. 3076) to provide for a continuing survey and special studies of sickness and disability in the United States, and for periodic reports of the results thereof, and for other purposes.

Mr. CUNNINGHAM. Mr. Speaker, I understand that this bill is scheduled to be called up under suspension of the rules. Therefore, I ask unanimous consent that it be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Iowa? There was no objection.

DEFINITION OF "NONFAT DRY MILK"

The Clerk called the bill (H. R. 5257) to amend the act entitled "An act to fix a reasonable definition and standard of identity of certain dry milk solids" (21 U. S. C., sec. 321c).

Mr. CUNNINGHAM. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Iowa? There was no objection.

DISPOSAL OF CERTAIN RESERVE MINERAL DEPOSITS

The Clerk called the bill (H. R. 6501) to amend the act of July 17, 1914, to permit the disposal of certain reserve mineral deposits under the mining laws of the United States.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the first sentence of section 2 of the act entitled "An act to provide for agricultural entry of lands withdrawn, classified, or reported as containing phosphate, nitrate, potash, oil, gas, or asphaltic minerals," approved July 17, 1914 (38 Stat. 509; 30 U. S. C. 122), is hereby amended by striking out "such deposits to be subject to disposal by the United States only as shall be hereafter expressly directed by law" and inserting in lieu thereof "such deposits to be subject to disposal by the United States only as shall be hereafter expressly directed by law: *Provided, however,* That all mineral deposits heretofore or hereafter reserved to the United States under this act which are subject to valid and subsisting rights acquired by discovery and location under the mining laws of the United States made prior to the date of the Mineral Leasing Act of February 25, 1920 (41 Stat. 437), shall hereafter be subject to disposal by patent under the mining laws of the United States in force at the time of such disposal."

With the following committee amendment:

Page 2, line 4, following the word "subject", insert the words "at the time of application for patent."

Page 2, line 8, following the word "disposal", insert the words "to the holders of those valid and subsisting rights."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

REDUCED-RATE TRANSPORTATION TO MINISTERS OF RELIGION

The Clerk called the bill (H. R. 9592) to amend section 403 (b) of the Civil Aeronautics Act of 1938 so as to permit air carriers and foreign air carriers, subject to certain conditions, to grant reduced-rate transportation to ministers of religion.

Mr. CUNNINGHAM. Mr. Speaker, it is my understanding that this bill is to be called up under suspension of the rules. Therefore I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Iowa? There was no objection.

PAYMENTS TO CERTAIN MEMBERS OF PINE RIDGE SIOUX TRIBE OF INDIANS

The Clerk called the bill (H. R. 5338) to provide that payments be made to certain members of the Pine Ridge Sioux Tribe of Indians as reimbursement for damages suffered as the result of the establishment of the Pine Ridge aerial gunnery range, and to provide a rehabilitation program for the Pine Ridge Sioux Tribe of Indians.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior is authorized and directed to pay the sum of \$3,500 to the head of each of the 125 Indian families determined by the report entitled "Investigation of the Pine Ridge Aerial Gunnery Range Taking for the Committee on Interior and Insular Affairs, United States House of Representatives," submitted by the Department of the Interior on April 10, 1952, in response to a resolution of the Committee on Public Lands of the House of Representatives, adopted March 4, 1950, to have actually been domiciled on August 1, 1942, on the land belonging to the Pine Ridge Sioux Tribe of Indians, South Dakota, which was taken by the Department of the Army in 1942 for the Pine Ridge aerial gunnery range. The Secretary of the Interior shall make such payment of \$3,500 to the heirs of any such head of a family who is deceased. Payment of such sum shall be in full and complete settlement of all claims of such Indians and their heirs against the United States for damages suffered as a result of being forced to move from their homes, and being forced to relocate and reestablish themselves elsewhere because such lands were taken for an aerial gunnery range.

SEC. 2. The Secretary of the Interior is authorized and directed to undertake a program of rehabilitation for all enrolled members of the Pine Ridge Sioux Tribe of Indians, without regard to whether any particular member of such tribe was actually resident within the area taken for the aerial gunnery range at the time of such taking. Such program of rehabilitation shall be directed to the improvement of the economic, social, religious, and community life of all such Indians, to the end that such Indians will be placed in a condition at least as advantageous as the condition they would have been in if their land had not been taken for an aerial gunnery range.

SEC. 3. (a) There is hereby authorized to be appropriated to carry out the purpose of the first section of this act the sum of \$437,500.

(b) There is hereby authorized to be appropriated the sum of \$13,426,800 which shall be deposited in the Treasury of the United

States, to the credit of such Pine Ridge Sioux Tribe of Indians, which sum shall draw interest upon the principal at the rate of 4 per centum per annum, until expended by the Secretary of the Interior in carrying out the provisions of section 2 of this act.

With the following committee amendments:

Page 2, line 10, following the word "heirs" insert the words "or devisees."

Page 2, line 12, following the word "heirs" insert the words "or devisees."

Page 2, line 16, change the period to a comma and add the words "and the distribution of funds under this act shall not be subject to any lien, except for debts owed to the United States or to Indian organizations indebted to the United States, and shall not be taxable."

Page 2, line 17, strike all of section 2 through page 3, line 3.

Page 3, line 4, renumber SEC. 3 (a) to read "SEC. 2."

Page 3, line 7, strike all of subsection (b) through page 3, line 13.

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, and was read the third time and passed.

The title was amended so as to read: "A bill to provide that payments be made to certain members of the Pine Ridge Sioux Tribe of Indians as reimbursement for damages suffered as the result of the establishment of the Pine Ridge aerial gunnery range."

A motion to reconsider was laid on the table.

INCREASING PRESCRIBED FEES OF UNITED STATES COMMISSIONERS

The Clerk called the bill (H. R. 10949) to amend section 633 of title 28, United States Code, prescribing fees of United States commissioners.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That section 633 of title 28 of the United States Code is amended to read as follows:

"United States commissioners in each judicial district, except national park commissioners, shall receive the following fees only for all services rendered, not to exceed \$10,500 for any one calendar year:

(1) For attending to any reference by order of court of a litigated matter in a civil case or in admiralty, \$8 a day.

(2) For taking and certifying depositions, 30 cents for each folio and for each copy thereof furnished on request, 20 cents per folio.

(3) A fee graduated according to the aggregate number of cases in each quarterly accounting period, in the sum of \$14 for each of the first 25 cases, \$9 for each of the next 25 cases, \$8 for each of the next 50 cases, and \$2 for each additional case, of the following kinds:

"Issuance of an attachment and subsequent hearings in internal revenue matters pursuant to section 7604 (b) of title 26;

"Settling or certifying the nonpayment of a seaman's wage pursuant to sections 603 and 604 of title 46;

"Preliminary proceedings to hold an accused person to answer in district court, payable to the commissioner who disposes of the case by discharge or binding over, for all services rendered after presentation of the accused;

"Each accused person brought before the commissioner for holding to answer in district court shall be considered a case for the purpose of computation of fees."

"(4) For all services rendered for each accused person presented before him for purposes of bail only and not for holding to answer in district court, whether or not bail is taken or commitment ordered, \$4.

"(5) Upon the filing of a sworn, written complaint, for all services rendered prior to presentation of the accused before the commissioner, \$4 for each person accused.

"(6) For all services in connection with each formal, written application for a search warrant, whether granted or denied, \$6.

"(7) For each proceeding for the discharge of an indigent prisoner, \$6.

"(8) For each defendant tried or sentenced by him for a petty offense, in lieu of all other fees provided in this section, a fee graduated according to the aggregate number of cases in each quarterly accounting period, in the sum of \$16 for each of the first 25 cases and \$12 for each additional case."

With the following committee amendments:

Page 1, line 3, after the numerals "633" insert the following: "(a)."

Page 1, line 5, insert between the quotation marks and the words "United States" the following: "(a)";

Page 2, line 8, following the colon, insert "—";

Page 3 add the following new section: "Sec. 2. Subsection 633 (b) of title 28, United States Code is hereby repealed."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

Mr. ROGERS of Colorado. Mr. Speaker, I ask unanimous consent that in the engrossment of the bill just passed (H. R. 10949) the enrolling clerk be authorized to make the necessary clerical corrections.

The SPEAKER. Is there objection to the request of the gentleman from Colorado?

There was no objection.

WAIVER OF REQUIREMENTS OF SECTION 142, TITLE 28, UNITED STATES CODE

The Clerk called the bill (H. R. 9137) to waive section 142, of title 28, United States Code, with respect to the United States District Court for the Western District of North Carolina holding court at Bryson City, N. C.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the limitations and restrictions contained in section 142, title 28, of the United States Code, shall be waived insofar as pertains to holding court by the United States District Court for the Western District of North Carolina at Bryson City, N. C.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

NATIONAL CEMETERIES

The Clerk called the bill (S. 2512) to amend the act of August 27, 1954, so as to provide for the erection of appropriate markers in national cemeteries to honor the memory of certain members of the Armed Forces who died or were killed while serving in such forces.

construed so that the ultimate desire and purpose of Congress may be fulfilled, which will facilitate interstate commerce, facilitate the postal service, and provide modern adequate bridge facilities for the military and promote national defense and security.

Sec. 11. Nothing herein contained shall be construed to authorize or permit the commission or any member thereof to create any obligation or incur any liability other than such obligations and liabilities as are dischargeable solely from funds contemplated to be provided by this act. No obligation created or liability incurred pursuant to this act shall be a personal obligation or liability of any member or members of the commission, but shall be chargeable solely to the funds herein provided, nor shall any indebtedness created pursuant to this act be an indebtedness of the United States.

Sec. 12. The design and construction of any bridge which may be built pursuant to this act shall be in accordance with the standard specifications for highway bridges adopted by the American Association of State Highway Officials, and the location and design of any such bridge shall be subject to approval by the highway departments of the States of Iowa and Illinois.

Sec. 13. Any bridge or bridges constructed, acquired, or reconstructed under authority of this act shall be constructed, maintained, and operated in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906, as amended or supplemented. By reason of the commission hereinbefore created being a public body the provisions of the Securities Act of 1933 and of the Trust Indenture Act of 1939, and any amendments to either or both of said acts, shall not apply to bonds authorized to be issued by this act.

Sec. 14. The bridge or bridges purchased or constructed under the authority of this act shall be deemed to be Federal instrumentalities for interstate commerce, the postal service, and military and other purposes authorized by the Government of the United States, and said bridge or bridges and the bonds issued in connection therewith and the income derived therefrom shall be exempt from all Federal, State, municipal, and local property and income taxation.

Sec. 15. Upon complaint of the attorney general of the State of Iowa or the attorney general of the State of Illinois or upon complaint of any other party in interest the United States District Court for the Southern District of Iowa shall have jurisdiction over the commission with respect to the enforcement and prevention of violation of the provisions of this act.

Sec. 16. The right to alter, amend, or repeal this act is hereby expressly reserved.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AUTHORIZING THE IMPROVEMENT OF ROCKLAND HARBOR, MAINE

Mr. BLATNIK. Mr. Speaker, I move to suspend the rules and pass the bill (S. 1749) adopting and authorizing the improvement of Rockland Harbor, Maine.

The Clerk read as follows:

Be it enacted, etc., That the modification of the project for improvement of Rockland Harbor, Maine, is hereby adopted and authorized substantially in accordance with the recommendations of the Chief of Engineers contained in Senate Document No. 82, 84th Congress, 1st session, at an estimated cost of \$750,000, and subject to the conditions set forth therein, the work to be prosecuted under the direction of the Secretary of the Army

and the supervision of the Chief of Engineers.

Sec. 2. There are authorized to be appropriated such sums as may be necessary to carry out the provisions of this act.

The SPEAKER. Is a second demanded? [After a pause.] The Chair hears no demand for a second.

The question is on suspending the rules and passing the bill.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

NATIONAL HEALTH SURVEY ACT

Mr. PRIEST. Mr. Speaker, I move to suspend the rules and pass the bill (S. 3076) to provide for a continuing survey and special studies of sickness and disability in the United States, and for periodic reports of the results thereof, and for other purposes.

The Clerk read as follows:

Be it enacted, etc., That this act may be cited as the "National Health Survey Act."

Sec. 2. (a) The Congress hereby finds and declares—

(1) that the latest information on the number and relevant characteristics of persons in the country suffering from heart disease, cancer, diabetes, arthritis and rheumatism, and other diseases, injuries, and handicapping conditions is now seriously out of date; and

(2) that periodic inventories providing reasonably current information on these matters are urgently needed for purposes such as (A) appraisal of the true state of health of our population (including both adults and children), (B) adequate planning of any programs to improve their health, (C) research in the field of chronic diseases, and (D) measurement of the numbers of persons in the working ages so disabled as to be unable to perform gainful work.

(b) It is, therefore, the purpose of this act to provide (1) for a continuing survey and special studies to secure on a noncompulsory basis accurate and current statistical information on the amount, distribution, and effects of illness and disability in the United States and the services received for or because of such conditions; and (2) for studying methods and survey techniques for securing such statistical information, with a view toward their continuing improvement.

Sec. 3. Part A of title III of the Public Health Service Act (42 U. S. C. ch. 6A) is amended by adding after section 304 the following new section:

"NATIONAL HEALTH SURVEYS AND STUDIES"

"Sec. 305. (a) The Surgeon General is authorized (1) to make, by sampling or other appropriate means, surveys and special studies of the population of the United States to determine the extent of illness and disability and related information such as: (A) the number, age, sex, ability to work or engage in other activities, and occupation or activities of persons afflicted with chronic or other disease or injury or handicapping condition; (B) the type of disease or injury or handicapping condition of each person so afflicted; (C) the length of time that each such person has been prevented from carrying on his occupation or activities; (D) the amounts and types of services received for or because of such conditions; and (E) the economic and other impacts of such conditions; and (2) in connection therewith, to develop and test new or improved methods for obtaining current data on illness and disability and related information.

"(b) The Surgeon General is authorized, at appropriate intervals, to make available, through publications and otherwise, to any

interested governmental or other public or private agencies, organizations, or groups, or to the public, the results of surveys or studies made pursuant to subsection (a).

"(c) For each fiscal year beginning after June 30, 1956, there are authorized to be appropriated such sums as the Congress may determine for carrying out the provisions of this section.

"(d) To assist in carrying out the provisions of this section the Surgeon General is authorized and directed to cooperate and consult with the Departments of Commerce and Labor and any other interested Federal Departments or agencies and with State health departments. For such purpose he shall utilize insofar as possible the services or facilities of any agency of the Federal Government and, without regard to section 3709 of the Revised Statutes, as amended, of any appropriate State or other public agency, and may, without regard to section 3709 of the Revised Statutes, as amended, utilize the services or facilities of any private agency, organization, group, or individual in accordance with written agreements between the head of such agency, organization, or group, or such individual, and the Secretary of Health, Education, and Welfare. Payment, if any, for such services or facilities shall be made in such amounts as may be provided in such agreement."

Sec. 4. Section 301 of the Public Health Service Act (42 U. S. C. 241) is amended by striking out the word "and" at the end of paragraph (f), redesignating paragraph (g) as paragraph (h), and inserting immediately following paragraph (f) the following new paragraph:

"(g) Make available, to health officials, scientists, and appropriate public and other nonprofit institutions and organizations, technical advice and assistance on the application of statistical methods to experiments, studies, and surveys in health and medical fields; and."

The SPEAKER. Is a second demanded?

Mr. BYRNES of Wisconsin, Mr. Speaker, I demand a second.

Mr. PRIEST. Mr. Speaker, I ask unanimous consent that a second be considered as ordered.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mr. PRIEST. Mr. Speaker, I yield 5 minutes to the gentleman from Texas [Mr. DIES].

Mr. DIES. Mr. Speaker, this bill was passed by the Senate and referred to our committee where we amended it in certain respects and improved the bill.

It provides for a continuing study and survey of sickness and disability in the United States. There is an urgent need for such study. It has been 20 years since there has been a similar study. At the present time there is a serious lack of statistical information that is so necessary for the planning and execution of health programs by the States or the Federal Government or by local organizations.

It is contemplated this survey will be conducted by the Census Bureau. There will not be an increase in personnel and it is on a non-compulsory basis. The committee has reported the bill unanimously.

If anyone desires any information I will be glad to answer questions.

Mr. BYRNES of Wisconsin, Mr. Speaker, will the gentleman yield?

Mr. DIES. I yield to the gentleman from Wisconsin.

Mr. BYRNES of Wisconsin. The only reason for my demanding a second was so that we might have a full understanding of what the bill is all about. It did not indicate an objection to the bill at all.

Mr. DIES. Yes.

Mr. BYRNES of Wisconsin. I wonder if the gentleman can tell us whether there are departmental reports on the bill S. 3076 which is before us and what the departmental reports were?

Mr. DIES. The bill was recommended by the administration. As a matter of fact, it was the subject of a special message sent to the Congress by President Eisenhower. We also have a letter of recommendation from the Department of Health, Education, and Welfare. There is no opposition from any quarter to the bill and it is very necessary that we pass it quickly. The Surgeon General will conduct the study in cooperation with State and private agencies, which will avoid duplication of effort.

Mr. BYRNES of Wisconsin. The gentleman may have answered this question already, but what about an estimate of the cost of this survey? Is there any estimate?

Mr. DIES. So far as I know we do not have any definite estimate of the cost but since it is contemplated to use existing personnel there will be no necessity to enlarge the personnel in the Department of Public Health. They will utilize the personnel in the Census Bureau to take these samplings geographically.

Mr. PRIEST. Mr. Speaker, will the gentleman yield?

Mr. DIES. I yield to the gentleman from Tennessee.

Mr. PRIEST. The gentleman from Texas is absolutely correct in that respect. There was a possible estimate that came to the chairman later, after the hearings, that it might amount to as much as \$1,250,000 out of the regular budget; that is, that much of the regular budget might be used in paying the personnel already employed to do this job.

Mr. BYRNES of Wisconsin. My understanding then is that the real reason for this bill is to authorize the departments to use funds that they presently have to engage in this activity; that there is not today on the books any authorization to make this survey, or am I wrong in that?

Mr. DIES. No; there is no authorization to make this survey. It is necessary that we pass this to authorize it.

Mr. SPRINGER. Mr. Speaker, will the gentleman yield?

Mr. DIES. I yield to the gentleman from Illinois.

Mr. SPRINGER. May I say to the gentleman from Wisconsin that all matters which he has had under discussion were carefully gone into by the committee. This bill was unanimously approved by those on both sides of the aisle. The cost was very, very carefully surveyed before we decided to do anything on this bill. I believe, in view of that finding of the committee, that this bill is very much in order.

Mr. DIES. If there are no other questions, Mr. Speaker, that will conclude my remarks.

The SPEAKER. The question is on suspending the rules and passing the bill.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

DEFINITION OF "NONFAT DRY MILK"

Mr. PRIEST. Mr. Speaker, I move to suspend the rules and pass the bill (S. 1614) to amend the act entitled "An act to fix a reasonable definition and standard of identity of certain dry milk solids."

The Clerk read as follows:

Be it enacted, etc., That Public Law 244, 78th Congress, 2d session, approved March 2, 1944, title 21, United States Code, section 321c, entitled "An act to fix a reasonable definition and standard of identity of certain dry milk solids" is amended to read as follows: "That for the purposes of the Federal Food, Drug, and Cosmetic Act of June 26, 1938 (ch. 675, sec. 1, 52 Stat. 1040), nonfat dry milk is the product resulting from the removal of fat and water from milk, and contains the lactose, milk proteins, and milk minerals in the same relative proportions as in the fresh milk from which made. It contains not over 5 percent by weight of moisture. The fat content is not over 1½ percent by weight unless otherwise indicated.

The term "milk," when used herein, means sweet milk of cows.

The SPEAKER. Is a second demanded?

Mr. SPRINGER. Mr. Speaker, I demand a second.

The SPEAKER. Without objection a second will be considered as ordered.

There was no objection.

Mr. PRIEST. Mr. Speaker, I yield 5 minutes to the gentleman from Alabama [Mr. ROBERTS].

Mr. ROBERTS. Mr. Speaker, this bill which has already passed the other body comes to us as S. 1614 and is, I think, best explained in the report. It is a very simple bill. It merely has to do with eliminating some definitions and simplifying Public Law 244 which was passed by the 78th Congress. I will read the law:

Be it enacted, etc., That for the purposes of the Federal Food, Drug, and Cosmetic Act of June 26, 1938 (ch. 675, sec. 1, 52 Stat. 1040), nonfat dry milk "solids or defatted milk solids" is the product resulting from the removal of fat and water from milk, and contains the lactose, milk proteins, and milk minerals in the same relative proportions as in the fresh milk from which made. It contains not over 5 percent by weight of moisture. The fat content is not over 1½ percent by weight unless otherwise indicated.

The term "milk," when used herein, means sweet milk of cows.

This bill was sponsored by the gentleman from Minnesota [Mr. O'HARA] and I am positive that if it had any substantial opposition from the fresh-milk industry in that State, he would certainly not have introduced it. It was unanimously approved by the Health and Science Subcommittee. There was no opposition to the bill in the full com-

mittee. Representatives of the American Dry Milk Institute appeared and testified in behalf of the bill. The Department of Agriculture approved the bill but felt it unnecessary to testify in behalf of it.

In simple terms, when a housewife goes to the grocery store and calls for dry milk, she does not ask for nonfat dry milk solids or defatted milk solids. She asks for dry milk. All this bill does is to remove the word "solids" or "defatted milk solids" and what you have left is nonfat dry milk. That is all it is. In the interest of free enterprise and in order not to load down a definition on the cartons or bottles in which it is sold, I think this is a good amendment.

(Mr. ROBERTS asked and was given permission to revise and extend his remarks.)

Mr. SPRINGER. Mr. Speaker, this bill came from the Subcommittee on Health and Science of which I am a member. The bill was reported out of the committee unanimously. We felt there was a need for this redefinition. It was in order. In my estimation this bill should be passed under suspension of the rules.

The SPEAKER. The question is, will the House suspend the rules and pass the bill (S. 1614) as amended?

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

A similar House bill was laid on the table.

TO PERMIT CERTAIN AIR CARRIERS TO GRANT FREE OR REDUCED RATE TRANSPORTATION TO MINISTERS OF RELIGION

Mr. PRIEST. Mr. Speaker, I move to suspend the rules and pass the bill (S. 3149) to amend the Civil Aeronautics Act of 1938 in order to permit certain air carriers to grant free or reduced rate transportation to ministers of religion, with an amendment.

The Clerk read as follows:

Be it enacted, etc., That subsection (b) of section 403 of the Civil Aeronautics Act of 1938, as amended, is amended by inserting at the end thereof the following sentence: "Any air carrier or foreign air carrier, under such terms and conditions as the Board may prescribe, may grant reduced-rate transportation to ministers of religion, except that such a carrier may not grant such reduced-rate transportation during any period with respect to which it receives any compensation, determined under section 406 of this act, which is payable by the Board pursuant to Reorganization Plan No. 10 of 1953."

The SPEAKER. Is a second demanded?

Mr. SPRINGER. Mr. Speaker, I demand a second.

Mr. BYRNES of Wisconsin. Mr. Speaker, I ask unanimous consent that the second be considered as ordered.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Digest of CONGRESSIONAL PROCEEDINGS

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

OFFICE OF BUDGET AND FINANCE
(For Department Staff Only)

Issued June 21, 1956
For actions of June 20, 1956
84th-2nd, No. 102

CONTENTS

Accounting.....1	Food.....23	Personnel.....14,26
Appropriations.....12	Foreign affairs.....6,13	Pest control.....30
Automation.....27	Foreign aid.....9,21,32	Property.....10,25
Budgeting.....1	Forestry.....17	Public debt.....16
CCC.....8	Inspection services.....28	REA.....4,20
Civil defense.....18	Lands.....31	Reclamation.....7
Depressed areas.....15,24	Loans, farm.....11	Roads.....2,19
Electrification.....5	Milk.....3	Supergrades.....14
Fairs.....13	Minerals.....31	Veterans' benefits.....14,22
Farm credit.....4	Mining.....17	Watersheds.....29
Fees and charges.....28	Nominations.....4	

HIGHLIGHTS: House passed farm loan bill. Senate passed bill to improve government budgeting and accounting methods and procedures. Both Houses agreed to conference report on independent offices appropriation bill. Ready for President. Senate committee reported nomination of Hamil to be REA Administrator. Senate committee ordered reported bills to increase CCC borrowing authority, and increase Public Law 480 authorizations.

SENATE

1. BUDGETING; ACCOUNTING. Passed without amendment S. 3897, to improve governmental budgeting and accounting methods and procedures. p. 9671
This bill includes the following provisions:
 - (1) that proposed appropriations shall, to the maximum extent deemed desirable and practicable by the President, be determined on an annual accrued expenditure basis;
 - (2) that requests for appropriations shall be developed, in such manner and at such times as may be determined by the President, from cost-based budgets;
 - (3) that, for purposes of administration and operation, such cost-based budgets shall be used by all departments and their subordinate units;
 - (4) that, as soon as practicable, in accordance with standards prescribed by the Comptroller General, the accounts of each agency shall be maintained on an accrual basis to show resources, liabilities, and costs of operations;
 - (5) that, at the end of each fiscal year, the excess over accrued expenditures of any appropriation or fund made on an annual accrued expenditure basis shall lapse, unless otherwise provided by law, and that the remaining balances shall be merged with any appropriation or fund made for the same general purpose for the ensuing fiscal year.

- (6) that, insofar as is possible,
 - (a) consistency in accounting and budgeting classifications,
 - (b) synchronization between accounting and budget classifications and organizational structure, and
 - (c) support of budget justifications by information on performance and program costs by organizational units.
- (7) that, accounting systems maintained on an accrual basis shall include adequate monetary property accounting records as an integral part of the system.
- (8) that, each agency shall work toward the objective of financing each operating unit, at the highest practical level, from not more than one administrative subdivision for each appropriation or fund affecting such unit.

Passed with amendments H. R. 9593, to simplify accounting and to facilitate the payment of obligations, after substituting the language of S. 3362, a similar bill. S. 3362 was indefinitely postponed. Sen. Kennedy inserted an explanation of the difference between the two bills. p. 9596

2. ROADS. Sen. Johnson stated that the conference report on the road bill may be submitted today. p. 9612

3. MILK. Agreed to the House amendments to S. 1614, to fix a reasonable definition and standard of identity of certain dry milk solids. This bill will now be sent to the President. p. 9612

4. NOMINATIONS. The Agriculture and Forestry Committee reported the nominations of David A. Hamil to be REA Administrator, and Glen A. Boger to be a member of the Farm Credit Board. p. 9611

5. ELECTRIFICATION. Sen. Goldwater compared public power electric rates with those of private power companies. p. 9569

Sen. Lehman inserted newspaper articles reviewing the history of the preference clause in Federal power legislation. p. 9567

6. FOREIGN AFFAIRS. Received from the President the report of the National Advisory Council on international monetary and financial problems. p. 9566

The Foreign Relations Committee reported without amendment S. Res. 285, providing for studies of foreign assistance by the U. S. (S. Rept. 2278). p. 9566

7. RECLAMATION. Passed without amendment H. R. 101, to provide clarifications in contract repayments in irrigation and reclamation projects. This bill will now be sent to the President. pp. 9572, 9573

Agreed to the House amendments to S. 1622, to authorize the Secretary of the Interior to make payment for certain improvements located on public lands in the Rapid Valley unit, S. Dak. of the Ho. River Basin project. This bill will now be sent to the President. p. 9599

8. CCC. The Agriculture and Forestry Committee ordered reported with amendment S. 3820, to increase the borrowing authority of the CCC. The "Daily Digest" states that the committee amendment "would increase borrowing power from \$14 billion to \$14.5 billion". p. D652

9. FOREIGN AID. The Agriculture and Forestry Committee ordered reported with amendment S. 3903, to increase the amount authorized to be appropriated for purposes of title I of Public Law 480 to \$3 billion. The "Daily Digest" states that the committee amendment would "make its provisions conform to those of

STATEMENT BY THE AFL-CIO EXECUTIVE COUNCIL—PROPOSED AMENDMENTS TO THE SOCIAL SECURITY ACT

The Senate now has before it for action a measure that is of greater and more immediate significance to millions of Americans than any other that may be acted upon by this Congress—the proposed amendments to the Social Security Act. The most important of the amendments that will be considered would provide for the payment of benefits to persons at the age of 50 who become totally and permanently disabled and would reduce the retirement age for women from age 65 to age 62.

These provisions, which were the key features of the bill (H. R. 7225) passed by the House last year by a very large majority, were deleted by the conservative majority in the Senate Finance Committee. We deeply appreciate the effort led by members of this same committee to restore these provisions on the floor of the Senate. It is now up to the Members of the Senate as a whole to demonstrate their concern for the welfare of disabled workers, older workers and their wives and of workingwomen who suffer discrimination in the search for employment because of their age, by voting to restore these vital provisions to the Senate bill. This is the most important, and perhaps the only, opportunity that Senators will have this year to record themselves for or against a step toward the fulfillment of the modest hopes and most pressing needs of this deserving group of citizens. Millions of Americans will be watching the outcome with keen personal interest.

We strongly urge each Member of the Senate to record himself on the human side of this issue by voting to restore the disability benefit feature and the reduced retirement age for women to the bill that is now before that body.

We continue also our full support of the increased contribution rate necessary to keep social security soundly financed when these increased benefits are provided.

EXECUTIVE SESSION

During the delivery of Mr. DOUGLAS' speech,

Mr. JOHNSON of Texas. Mr. President, will the Senator from Illinois yield, so that I may request consideration and confirmation of some Republican postmaster nominations?

Mr. DOUGLAS. Certainly. I would ask that the proceedings in connection with the executive session be printed in the RECORD following the conclusion of my remarks.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the Senator from Illinois may yield to me, in order that I may request that the Senate proceed to the consideration of executive business, to consider the postmaster nominations on the Executive Calendar; and with the understanding that the proceedings in that connection shall be printed in the RECORD following the remarks of the Senator from Illinois; and with the further understanding that he will not lose the floor.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Texas? Without objection, it is so ordered.

Mr. JOHNSON of Texas. Mr. President, I now ask unanimous consent that the Senate proceed to the consideration of executive business.

The PRESIDING OFFICER. Is there objection?

There being no objection, the Senate proceeded to the consideration of executive business.

EXECUTIVE MESSAGE REFERRED

The PRESIDING OFFICER laid before the Senate a message from the President of the United States submitting sundry nominations, which were referred to the Committee on Labor and Public Welfare.

(For nominations this day received, see the end of Senate proceedings.)

EXECUTIVE REPORTS OF COMMITTEES

The following favorable reports of nominations were submitted:

By Mr. ELLENDER, from the Committee on Agriculture and Forestry:

David A. Hamil, of Colorado, to be Administrator of the Rural Electrification Administration, vice Ancher Nelsen, resigned; and

Glen A. Boger, of Pennsylvania, to be a member of the Federal Farm Credit Board, Farm Credit Administration.

By Mr. DIRKSEN, from the Committee on the Judiciary:

William G. Juergens, of Illinois, to be United States district judge for the eastern district of Illinois, vice Fred L. Wham, retired.

The PRESIDING OFFICER. If there be no further reports of committees, the clerk will state the nominations on the Executive Calendar.

POSTMASTERS

The legislative clerk proceeded to read sundry nominations of postmasters.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the postmaster nominations be considered and confirmed en bloc.

The PRESIDING OFFICER. Without objection, the postmaster nominations will be considered en bloc; and, without objection, the postmaster nominations are confirmed.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the President be notified forthwith of the confirmations of these nominations.

The PRESIDING OFFICER. Without objection, the President will be notified forthwith.

LEGISLATIVE SESSION

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the Senate resume the consideration of legislative business.

The PRESIDING OFFICER. Is there objection?

There being no objection, the Senate resumed the consideration of legislative business.

AMENDMENT OF INTERNATIONAL CLAIMS SETTLEMENT ACT

Mr. HUMPHREY. Mr. President, out of order, I introduce and send to the desk a bill to amend Public Law 285 of the 84th Congress, H. R. 6382 of last year. The purpose of the new bill is to correct legislation heretofore enacted

by the Congress by amending it so as to carry out the actual intent of the Congress last year. I ask that the bill be appropriately referred.

The PRESIDING OFFICER. Without objection, the bill will be received and appropriately referred.

The bill (S. 4094) amending the International Claims Settlement Act of 1949, as amended, relative to reductions in certain Federal income and excess profits taxes, introduced by Mr. HUMPHREY, was received, read twice by its title, and referred to the Committee on Foreign Relations.

Mr. HUMPHREY. Mr. President, Members of the Senate will recall that we passed legislation amending the International Claims Settlement Act of 1949. The Senate Foreign Relations Committee was aware of the fact that if tax benefits are added to the benefits under the bill as written, it would be possible for some large corporate claimants to receive more in total benefits than was actually lost abroad. At the same time some of the smaller claimants would not receive anywhere near the amount of money they lost in foreign countries. To correct this patently unfair and unsought-for effect, the Senate committee adopted an amendment which I introduced. The Senate saw fit to accept the amendment and it went with the bill to conference.

During our meetings the conference committee, of which I was a member, was informed by representatives of the Internal Revenue Service that the Senate's interpretation of the bill as it related to existing tax law was inaccurate. We were told that in fact it would not be possible for large corporate claimants to receive an amount larger than their actual loss by virtue of the operations of our tax laws. On the strength of those representations by the Internal Revenue Service, the conference committee agreed to drop the Senate amendment.

It is now unmistakably clear that the conference committee on H. R. 6382 was misinformed by an official of the Internal Revenue Service. I am sure it was not intentionally misinformed, but there was some misunderstanding or some erroneous information. I am certain that the erroneous information was provided us unwittingly and that it was not the intent of the Department to mislead the Congress. The Department now seems to agree, however, that the information given to the conference committee was in error.

On February 25, 1956, I wrote to Secretary of the Treasury Humphrey outlining the situation and asking for his help in considering appropriate remedial legislation. I ask unanimous consent that my letter to the Secretary be inserted at this point in my remarks.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

FEBRUARY 25, 1956.

The Honorable GEORGE M. HUMPHREY,
Secretary of the Treasury,
Department of the Treasury,
Washington, D. C.

DEAR SECRETARY HUMPHREY: During the first session of the 84th Congress we enacted into law a bill to amend the International

Claims Settlement Act of 1949. That bill is new Public Law 285.

While the bill was under consideration by the Senate Foreign Relations Committee I became interested in certain problems created by the fact that the total amount of claims will greatly exceed the amount of money available to pay them. It would seem, in particular, that claimants against the Hungarian Fund will receive compensation of less than 10 percent of their losses. As now written, however, the law fails to distinguish between the claimant who still bears the full burden of his loss and the claimant who may have cut his loss through a tax deduction by up to 92 percent. It was also called to my attention that as the law is now written some large corporate claimants may, if their net compensation under Public Law 285 is added to their tax benefits, receive more in benefits than they actually lost.

In the light of the foregoing I proposed an amendment which was adopted by the Senate Foreign Relations Committee and was passed by the Senate. It was, however, eliminated in conference. While a number of objections to the amendment were considered, I must say, in all candor, that an important factor in the rejection of my amendment was certain incorrect information supplied to the conference committee by the Internal Revenue Service. I am sure that this error was made inadvertently and resulted from the great pressure under which all of us were working during the closing days of the session.

When the conference report was adopted by the Senate, I announced that I expected to raise this question again at the second session and it is my full intention to do so. I still feel that a claims compensation program which pays compensation of less than 10 percent is hardly worth its name. Such a program is particularly objectionable if it closes its eyes to the fact that some claimants may have written off their losses while others have not.

I am not oblivious to the fact that my amendment raises certain administrative problems for your Department. I believe, however, that these problems can easily be minimized or entirely eliminated without affecting the basic purpose of the proposal. I think, therefore, that it would be helpful that my office consult with an official of your Department for the purpose of preparing appropriate language to carry out that objective. I would like to ask you, therefore, to designate such an official, who could meet with my counsel, Mr. Thomas L. Hughes, for the purpose of preparing the amendment.

Sincerely yours,

HUBERT H. HUMPHREY.

Mr. HUMPHREY. It is with great pleasure that I inform the Senate that Secretary of the Treasury Humphrey and the officials of the Treasury Department have responded to this set of events in a spirit of complete cooperation. Following that letter, a series of staff conferences have taken place which resulted in the Department furnishing me with a memorandum explaining the tax provisions which govern the bill passed by us. That memorandum fully agrees with my own understanding of the law as I expressed it to the Senate and to the conference committee last year. It proves the information given the conference committee by the Internal Revenue Service to be incorrect.

As a result of the cooperation by Treasury officials, a bill has been prepared which is readily acceptable to both the Treasury Department officials and to me. It is the bill which I have just sent to the

desk. It would cure the defect which the Senate tried to correct last year and which the House of Representatives undoubtedly would wish to have corrected had we been furnished with accurate information in the conference committee.

I am pleased that a mutually agreeable approach has been reached on this matter, and I urge the Senate Foreign Relations Committee to take speedy action on this bill so that it may be enacted into law during the current session.

PROGRESS OF CONFERENCE ON FEDERAL-AID HIGHWAY BILL

Mr. JOHNSON of Texas. Mr. President, I should like to announce that I have been informed that the conferees have reached an agreement on the Federal-aid highway bill. I should like Senators to be on notice that there is a possibility that the conference report may be submitted to the Senate tomorrow.

Mr. CHAVEZ. Mr. President, I do not wish to misinform Senators as to the status of the road bill. We have agreed in principle in conference on every item. However, a meeting is scheduled for tomorrow morning at 9 o'clock to discuss certain language in the bill in which every member of the conference committee is interested. I am pretty sure that the conferees will be able to report tomorrow.

DEFINITION AND STANDARD OF IDENTITY OF CERTAIN DRY MILK SOLIDS

The PRESIDING OFFICER laid before the Senate the amendments of the House of Representatives to the bill (S. 1614) to amend the act entitled "An act to fix a reasonable definition and standard of identity of certain dry milk solids", title 21, United States Code, section 321c, which were on page 1, line 3, strike out "numbered"; on page 1, line 7, strike out "for" and insert "that for"; and on page 2, strike out lines 6 and 7, and insert:

The term "milk" when used herein means sweet milk of cows.

Mr. HUMPHREY. Mr. President, I move that the Senate concur in the amendments of the House. Let me explain that the House amendments are technical and clerical. They are a matter of drafting. They make no substantive change whatever in the bill. The purpose of the amendments is clarification.

Mr. POTTER. Mr. President, will the Senator yield?

Mr. HUMPHREY. I yield.

Mr. POTTER. Is this a House bill?

Mr. HUMPHREY. No; it is a Senate bill. The bill was passed by the Senate, and the House accepted the Senate bill, but the drafting clerk of the House used different language. The amendments are clarifying, and are not substantive in nature.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Minnesota.

The motion was agreed to.

THE STATE DEPARTMENT'S SCIENCE ATTACHÉ PROGRAM

Mr. HUMPHREY. Mr. President, I have recently had occasion to comment on the Senate floor about the deterioration of the State Department's science attaché program. In the May 1956, issue of Geological Newsletter, issued by the American Geological Institute, an editorial was devoted to this subject.

The American Geological Institute is also, of course, greatly interested in the State Department's corps of mineral attachés. Critics have recently pointed out too, Mr. President, that in this field as well the distribution of the attachés is very sparse and bears very little relationship to our dependence on foreign mineral resources.

I ask unanimous consent that the editorial from the Geological Newsletter appear at this point in my remarks.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

UNITED STATES RECALLS SCIENCE AIDS

To be commended is President Eisenhower's move to establish on April 3 a National Committee for the Development of Scientists and Engineers. A group of outstanding Americans have been appointed to serve on this Committee. The National Foundation is to provide the President's Committee with staff services under the direction of Robert L. Clark as Executive Secretary. The Committee is charged with the task of stimulating greater educational efforts in the training of scientists and engineers to meet the ever-increasing demands of the modern era and to encourage a better understanding of science and technology by the general public.

To be condemned is the extreme shortsightedness of the President's United States Department of State for its policy with regard to science attachés. In mid-1952 the State Department had the impressive total of 10 science attachés in foreign service scattered sparsely among its many embassies and consulates. By January 1956 all science attachés had been recalled, so that at the present time the United States overseas arm has its scientific head in the sand. Furthermore, indications are that no effort is planned to remedy the situation. To make matters still worse, many of our top scientists feel that international travel restrictions imposed by the United States are curbing our advancement of science and technology.

The State Department is equally deficient in another area—that of mineral attachés. Despite the fact that our prosperity and future security are contingent upon vital supplies of minerals, such as oil, manganese, chrome, and many others, our policymakers continue to shape our future course abroad without the benefit of observation and interpretation by staff career men with mining and petroleum backgrounds. We have only five mineral attachés abroad today. It cannot be disputed that mineral endowment is a major factor in the destiny of any nation and that our highly industrialized economy would languish without the flow of ores and minerals from many sectors of the globe. Is it unrealistic to propose a well-trained corps of mineral specialists as foreign-service career officers to provide continuing mineral surveillance abroad for the United States, which in 1952 imported nearly \$2 billion in mineral raw materials?

The apathy of our United States Department of State toward science is a matter of grave concern. The tremendous surge of

Public Law 646 - 84th Congress
Chapter 495 - 2d Session
S. 1614

AN ACT

All 70 Stat. 486.

To amend the Act entitled "An Act to fix a reasonable definition and standard of identity of certain dry milk solids", title 21, United States Code, section 321c.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Public Law 244, Seventy-eighth Congress, second session, approved March 2, 1944, title 21, United States Code, section 321c, entitled "An Act to fix a reasonable definition and standard of identity of certain dry milk solids" is amended to read as follows: "That for the purposes of the Federal Food, Drug, and Cosmetic Act of June 26, 1938 (ch. 675, sec. 1, 52 Stat. 1040), nonfat dry milk is the product resulting from the removal of fat and water from milk, and contains the lactose, milk proteins, and milk minerals in the same relative proportions as in the fresh milk from which made. It contains not over 5 per centum by weight of moisture. The fat content is not over 1½ per centum by weight unless otherwise indicated.

Dry milk solids.

58 Stat. 108.

21 USC 301.

"The term 'milk', when used herein, means sweet milk of cows."

"Milk".

Approved July 2, 1956.

